

March 2, 2011

Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

Re: CC Docket No. 96-45 and CC Docket No. 02-6

Dear Federal Communications Commission:

Please find the enclosed Petition for Waiver and Request for Review filed on behalf of Midwest-City Del City School District, Midwest City, Oklahoma.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jane Kellogg", with a large, stylized loop at the end.

Jane Kellogg, Consultant  
[jk Kellogg@kelloggllc.com](mailto:jk Kellogg@kelloggllc.com)

Enclosures

Kellogg & Sovereign Consulting, LLC  
1101 Stadium Drive  
Ada, OK 74820  
(580) 332-1444  
(580) 332-2532 (facsimile)  
Email: [jk Kellogg@kelloggllc.com](mailto:jk Kellogg@kelloggllc.com)

**Contact Name:**

Jane Kellogg, Consultant  
 1101 Stadium Drive  
 Ada, OK 74820  
 Phone: 580.332.1444, Fax: 580.332.2532  
 Email: [jkelllogg@kelloggllc.com](mailto:jkelllogg@kelloggllc.com)

**Applicant:**

Midwest-City Del City School District  
 Billed Entity Number: 140258

Year	Form 471#	FRN	Service Provider	SPIN	COMAD Reason	Recovery Amount
2007	559836	1545705	OneNet	143015254	Discount Calculation	1,104.00
2007	559836	1545636	Nextel of Texas	143000889	Discount Calculation	0.00
2007	562205	1550804	United Systems	143004698	Discount Calculation	11,610.00
2007	578369	1599784	United Systems	143004698	Discount Calculation	34,109.96

We are appealing the USAC denial of an appeal of the adjustment of funding decision for the above listed funding requests related to Midwest City Del City School District ("District"), Billed Entity Number 140258.

The reason for the funds to be recovered as stated in the Funding Commitment Adjustment reports is that during the course of an audit it was determined that the applicant incorrectly calculated their E-rate discount. The original Funding Commitment Adjustment Reports and Administrators Decision on Appeal are included in Attachment A.

According to the commitment adjustment report for the funding requests affected in funding year 2007, the reason for adjustment was "the beneficiary calculated its discount percentage using counts of students of all ages eligible for free and reduced meals under NSLP, but used total enrollment counts of students aged 5-17 only, resulting in a higher percentage being used."

Each year that the Erate applications were filed, the beneficiary believed that they were in full compliance with the guidelines provided to them by the Child Nutrition Department at the Oklahoma State Department of Education or in discussions with the Client Service Bureau at the Universal Service Administrative Company ("USAC").

In the case of Oklahoma Public Schools, the collection of the low income data is conducted by food service personnel each school day following the guidelines established by the United States Department of Agriculture (USDA) and the Child Nutrition Office of the Oklahoma State Department of Education. This information is collected each fall through completion of the Low-Income Student Count form – see Attachment C and the partial snapshot below. This form is the official form that is completed by Oklahoma school districts and submitted to the Child Nutrition department at the Oklahoma State Department of Education.

2005-06

**SANDY GARRETT**  
State Superintendent of Public Instruction  
**OKLAHOMA STATE DEPARTMENT OF EDUCATION**

Page 1  
Year 7

County 55 District 1052

**LOW-INCOME STUDENT COUNT**

School Site Information				Students Enrolled and Eligible for Free/Reduced				
Site Number	Site Name	Grade Span Low - High	Site Enrollment Ages 5-17	Free/Reduced	Ages 4 and Under	Ages 5-17	Total 5-17 Ages 18 and Over	Total Free / Reduced
105	BARNES ES	EC - 06	384	Free:	4	129	0	133
				Reduced:	2	45	174	47
110	CLEVELAND BAILEY ES	EC - 06	366	Free:	5	121	0	126
				Reduced:	3	42	163	45
115	COUNTRY ESTATES ES	EC - 06	377	Free:	7	193	0	200
				Reduced:	4	46	239	50
120	DEL CITY ES	EC - 06	519	Free:	14	302	0	316
				Reduced:	0	57	359	57
125	EAST SIDE ES	EC - 06	482	Free:	15	284	0	299
				Reduced:	7	96	380	103
130	EPPELRY HEIGHTS ES	EC - 06	649	Free:	13	425	0	438
				Reduced:	3	76	501	79
135	PLEASANT HILL EC CTR	EC - 03	113	Free:	16	72	0	88
				Reduced:	4	6	78	10

The number of students attending on a given day constitutes the enrollment data, the number of those students that qualify for Free/Reduced Lunch Counts determine the eligibility numbers on the forms.

Details on how the food service staff is to complete the Low Income Student Count form is provided in the training Food Service managers receive annually and through the Child Nutrition department and in the Compliance Document – See:

<http://www.sde.state.ok.us/Schools/ChildNut/Programs/Compliance.pdf>).

The Low-Income Student Count Report Instructions are on Page 116.

The instructions shown in the box are extracted from this document.

**LOW-INCOME STUDENT COUNT REPORT**  
**INSTRUCTIONS**

**School Site Information:** Complete the form for each accredited site. When entering the information on the Web site, verify that the site numbers and names are correct. *PLEASE contact 405-521-3327 if there are any discrepancies.* Include the Grade Span that will be the lowest grade to the highest grade for each site. Valid grades are: Early Childhood (EC), kindergarten (KG), and 1 through 12. If *OPENING* a site, please contact the Accreditation Section at (405) 521-3333 before adding the new site to this form.

**Site Code:** Counts must be reported by accredited site number; i.e., 105, 705. If one cafeteria serves more than one school site, report each school site separately—not as one. Every accredited school site must be included. Nonaccredited sites must not be included.

**Site Name:** The name of the site identified by site number in Column 1.

**Grade Span Low-High:** Grades included at site identified in Columns 1 and 2.

**Note:** If a school district has **VIRTUAL** students, this information **MUST BE REPORTED** in a separate section of the Low-Income Report.

**Site Enrollment Aged 5-17:** Current enrollment for *ALL* students at this site, aged 5 through 17 as of *October 1*. Enrolled students who attend a nonaccredited site must be reported at the **ACCREDITED** site they should be attending. This figure must come from the October 1 Accreditation Report.

**NOTE:** This information is used for *Title I* purposes only. The actual statewide Low-Income Report will use **TOTAL** current enrollment figures verified by the Accreditation Section as of *October 1*.

**Students Enrolled and Eligible for Free/Reduced-Price:** Enter the number of students who are **CURRENTLY ENROLLED** and **ELIGIBLE** for **FREE** or **REDUCED-PRICE** meals in the following categories. Enrolled students who attend a nonaccredited site must be reported at the **ACCREDITED** site they should be attending. Ages are as of the month of *October*. Virtual students should be included. (Students enrolled in adult education courses or out-of-home placement students are not to be reported on the Low-Income Report. Adult education classes are those conducted for the following purposes or groups: General Education Development [GED], Temporary Assistance for Needy Families [TANF], English as a Second Language (ESL), family literacy, life skills, etc.)

Since the numbers collected through these forms directly impact all federal programs, the District and the state work diligently to be sure they are collecting the correct information each day and that the reports reflect the true picture of the low income level of the school site and district.

No specific guidelines are given to the district by USAC as to what numbers from the Oklahoma state low income student count form are to be included. The only state-level guidance is regarding eligibility for non-traditional K-12 students and facilities (head start, pre-kindergarten, adult education and juvenile justice). See: <http://www.usac.org/sl/applicants/step01/non-traditional-k-12/k-12-eligibility-table.aspx>.

The instructions on completion of the Block 4 of the Form 471 do not specify if the applicant may list only Ages 5-17, or all students. Missing is guidance regarding students who are 18 and over, students who dropped out and are completing their GED's, etc. In the absence of specific instructions from USAC on a state by state basis, the school district personnel must rely on the data provided them by their state reporting procedures.

We have included the Form 471 Block 4 guidance below which provides very broad guidelines.

Form 471, Block 4 Guidance:

**Calculating Each School's Site-Specific Discount (Columns 4-7 and 9-10)**

**Item 9a, Column 4:** List the total number of K-12 students in each school. For "New School Construction" or for an "Administrative Entity," enter "0" in this item.

**Item 9a, Column 5:** Provide the number of students eligible for NSLP as of the October 1st prior to the filing of this form, or use the most current figure available. For "New School Construction" or for an "Administrative Entity," enter "0" in this item. You may choose to use an actual count of students eligible for the NSLP or use federally approved alternative mechanisms to determine the level of poverty for purposes of the universal service discount program. Schools using a federally approved alternative mechanism may use participation in other income-assistance programs, such as Medicaid, food stamps, Supplementary Security Income (SSI), federal public housing assistance (Section 8), or Low Income Home Energy Assistance Program (LIHEAP) to determine the number of students that would be eligible for the NSLP. See 34 C.F.R. § 200.28(a)(2)(i)(B). For more information, please refer to the "Alternative Discount Mechanisms Fact Sheet" posted on the SLD section of the USAC web site.

**Item 9a, Column 6:** For each school, divide Column 5 by Column 4 to arrive at the percentage of students eligible for NSLP. Discount calculations may be rounded up only when fully half a discount point is reached. For example, an urban school with a discount eligibility of 34.499% will round down to 34%, and an urban school with a discount eligibility of 34.500% will round up to 35%. For eligibility discounts of less than 1%, however, there is no rounding. For "New School Construction" or for an "Administrative Entity," leave this item blank.

**Item 9a, Column 7:** Using the percentage in Column 6 and the Discount Matrix (see below), you should determine the percentage discount to which the school is entitled. If you file online, the system will calculate this figure for you. If you have any questions about determining this figure, contact CSB. For "New School Construction" or for an "Administrative Entity" ONLY, enter the Weighted Average Discount for the School District. (A preparatory worksheet containing all the schools in the School District must be submitted documenting the Weighted Average Discount for

*the School District. If you are submitting your application on paper, a worksheet including all schools in the School District must be submitted and labeled "All Schools in the School District.")*

Similarly, the January 22, 2010 News Brief provided only the following information regarding how to calculate discounts and contains no state-level details.

January 22, 2010 USAC News Brief:

### ***Calculating Discounts***

*In Block 4 of the Form 471, applicants list the individual recipients of service for a particular Block 5 funding request and calculate the appropriate discount level for those recipients. The [Form 471 Instructions](#)<sup>1</sup> provide detailed guidance on calculating discounts; below we have provided a high-level summary of discount calculations for specific situations.*

*As always, we encourage you to file online. Warning messages and informational pop-ups can help you through the discount calculation process and avoid the problem resolution activities that occur during USAC's data entry of paper forms.*

### ***General Information***

*To calculate the discount for an individual entity (recipient of service), you need two pieces of information:*

- The urban or rural status of the entity, which you can determine using the physical location of the entity and the appropriate state list linked to the guidance document [Rural/Urban Classification](#).*
- The percentage of students eligible for the National School Lunch Program (NSLP). (See below for a short discussion of alternatives to NSLP.)*

*You can then find your discount in the [Discount Matrix](#) posted on the USAC website. Locate the row that includes the percentage of students eligible for NSLP and then find your discount in the urban or rural column, as appropriate.*

*Following is information on how to calculate discounts for different types of entities:*

### ***Individual school***

*Divide the number of students eligible for NSLP at the school by the total number of students at the school. Use this number (the percentage of students eligible for NSLP) and the urban or rural status of the school to look up the discount on the Discount Matrix.*

### ***School district***

*List each individual school in the school district in a Block 4 worksheet and calculate the E-rate discount for each school as described above. Then multiply the E-rate discount for each school by the number of students in the school (the "weighted product"). Add together all the weighted*

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<sup>1</sup> Instructions same as quoted earlier.

*products and divide the result by the total number of students in the school district to get the "weighted average discount" for the school district.*

While the information above is informative, it does not provide specific guidance regarding what the source of the information should be other than to follow the guidelines established by USDA in determining eligibility and in reporting those numbers through the State approved process.

Midwest City-Del City school district personnel completed the Block 4 of their Forms 471 to the best of their ability in compliance with USAC rules and guidelines. The numbers reported to the State of Oklahoma on the Low Income Student Count Forms were considered by the District as the most accurate information available as it was the information they reported directly to the state. This information was the only data available to the person at the district who was responsible for entering the numbers in the Block 4 on the Form 471.

None of the subsequent documents detailed below that affect the final accredited numbers are prepared at the time the Form 471 was filed by the district. In fact, the report that the Oklahoma State Department of Education submits to USAC as the validation document is not available until after the Form 471 'window' closes each year.

Once the Low Income Student Count forms are submitted to the Oklahoma State Department of Education in November or December, the state goes through the process detailed below to validate the accuracy of the information submitted by each district in Oklahoma. Since this validation process occurs during January and February, after a district has submitted their application, it is easy to see how a school district can enter perfectly valid information in the Form 471 but when the state document arrives it doesn't match the numbers on the Low Income Student Count form.

By relying on the enrollment and free/reduced lunch numbers reported to the state on the Low Income Student Count Form, the District entered the numbers that were 'true' to the best of their knowledge at the time of filing the Form 471.

When the auditors questioned the source of the data during the audit, the applicant provided the low income student count forms which matched with the Block 4 data in the related years' Forms 471. The auditors also requested low income documentation from the Oklahoma State Department of Education ("OSDE") for the years under audit. When the auditors compared the OSDE low income data to the information reported on the Block 4 of the relevant funding years' Form 471, there were discrepancies in the total enrollment numbers.

We then contacted the Oklahoma Deputy State Superintendent of Instruction asking for clarification on the discrepancies between the enrollment figures obtained by the district and those in OSDE final low income reports.

The resultant document, quoted below was provided to the Midwest City-Del City audit team during their review to assist them with their review:

Oklahoma State Department of Education Validation**OKLAHOMA STATE DEPARTMENT OF EDUCATION  
METHODOLOGY USED TO DETERMINE THE LOW INCOME DATA REPORTED TO USAC**

-----Original Message-----

From: Patti High [mailto:patti\_high@sde.state.ok.us]

Sent: Tuesday, January 20, 2009 5:06 PM

To: Jane Kellogg

Cc: Sharon Lease; Dee Baker; Lealon Taylor; Sandy Garrett

Subject: Clarification on Processes for J Kellogg

Jane, in response to your request for clarification in writing, of the state procedures for collecting and using input data from schools to produce the (e37560) Low Income Report, I offer the following:

A. Process for collecting Oklahoma Fall student enrollment data:

- 1) Each October, school sites enter student enrollment through an on-line Web-based grade grid on the Statistical Information page of the Accreditation Application.
  - The grid collects the enrollment as of Oct. 1, by grade, race/ethnicity and gender.
  - Principals certify the data; then the district Superintendent must certify the data.
- 2) Once the reporting deadline has been reached, the data certified by superintendents is pulled into reports/spreadsheets with site-level, district, and state enrollment totals and comparisons for perusal/approval of the Accreditation office staff.
- 3) When problems are identified, the Accreditation Office rejects the district's application, contacts the district and requires them to modify and re-certify the Application. Proofing reports are re-run as corrections are made until no errors are apparent to Accreditation.
- 4) Once the Accreditation Office is satisfied with the data from all districts, they present the report for Superintendent Garrett's information.
- 5) Once Supt. Garrett reviews the data, reports are released to the public and reports/spreadsheets/files are provided to other staff/sections as needed.

B. The process and procedure for collecting Low Income Counts for Child Nutrition:

Note: All data is entered and certified through the Web-based on-line Child Nutrition Programs (CNP) e-Claims system.

1. July: As part of the process to renew their annual CNP Agreement, each school district enters a list of accredited school sites and the total number of sites that will be participating in the USDA school food programs. The district then certifies their agreement information. CNP staff review and then approve the agreements beginning in July, and in some cases all the way through September.



2. *November: Each district enters its claim for October meals served, which includes the total count of students, by free, reduced-price and paid meal eligibility, for whichever October date had the highest free/reduced eligibility count.*
3. *November - after the October Claim has been completed, certified and paid:*
  - *School districts complete the October Low-Income Student Count, entering free and reduced-price eligible counts by age brackets for all sites participating in the meal program.*
  - *Counts are entered only for the sites that are participating in CNP,*
  - *The number of sites entered must equal the number of sites reported as participating on the CNP Agreement, Schedule A.*
  - *The total district free and reduced-price eligibles (sum of all the school site free and reduced counts across all age groups) must match the number of district free and reduced eligible students on their October claim.*

*Once the above edits have been passed, and superintendent certified, the district-provided Low Income Student Count becomes 'Approved.'*

*Note1: October 1 site enrollment counts reported by districts for ages 5- 17 on the Low Income Count Report, are not the same as the Accreditation enrollment number which represents all grades and ages. The Low Income Count enrollment for ages 5-17 is used as the denominator for Title I, to calculate the percentage of free and reduced-price eligible students, ages > or =5 and <18. When all districts' Low Income Student Counts have been approved, that data is provided to the Title I office for their examination and use in federal reporting.*

*Note2: USDA permits districts to revise claims in subsequent months. If the October claim revisions change any student counts, districts are required to revise their Low-income Count report accordingly, and vice-versa. Then new reports are generated for Title I.*

4. *The (e37560) Low Income Report, however, covers free and reduced counts for all age brackets, and therefore uses the full student body October 1 Enrollment count from the Accreditation Application as the denominator in computing %free, %reduced and % low income (free& reduced). The site data is summed to provide the district and county data and percents.*
5. *Once the State Superintendent has reviewed the data, the Accreditation enrollment data is available for release (usually early Feb.), Child Nutrition receives a file from Data Services, with the site and district October1 enrollment totals to use in generating the (e37560) Low Income Report.*
6. *In February, the (e37560) Low Income report is printed and published to the web.*

*Patti High  
Chief Information Officer  
Oklahoma State Department of Education  
2500 N. Lincoln Blvd., Suite B-17  
Oklahoma City, OK 73105-4599*

*405.521.3013 phone*

405.522.4264 fax  
patti\_high@sde.state.ok.us

The information about the state process provided the District with information they were not aware of when they completed the Forms 471 for funding year 2007. The District discovered that the OSDE used the accreditation report to determine the total enrollment numbers that were used in the state final report since the 2007 filing.

This information is helpful but would not have changed the information originally reported by the district as the personnel who keyed the Block 4 data on the Form 471 were not aware of the use of the enrollment numbers on the accreditation report nor were the district personnel responsible for completing the Form 471 given access to the accreditation report during the time that the Forms 471 were filed.

Again, we need to emphasize that the state reports that the auditors used to compare enrollment data with the Block 4 information were NOT available to the applicant until AFTER the Forms 471 were filed.

#### **PIA Review**

Another point of validation occurs during USAC Program Integrity Assurance (PIA) each year, again well after the numbers have to be collected and submitted as a part of the Form 471 filing process. In current years, a part of the normal USAC review process is for a designated set of PIA reviewers to validate the discount level for each applicant at each site. In Oklahoma, the Low Income Student Count form is compared with the numbers in the official state document created as a part of the SDE review. There may be other sources of data used by the PIA reviewers as a comparison as well, but if so, it is unknown to the school district.

For funding year 2007, we do not know what the USAC PIA review procedures were regarding discount validation, but there were no discrepancies noted by the reviewers during the PIA review process.

It was not until the Attestation Compliance audit in 2009, that the applicant was notified of any possible discrepancies in data submitted by the person completing the E-rate applications years before. USAC's PIA reviewers did have the official Low Income Student Count Report that the State of Oklahoma provided for the district under review and no one had ever mentioned a discrepancy in the enrollment numbers.

The return of the funds listed on the commitment adjustment reports total \$46,823.96. The COMAD amount is not reflective of the minor adjustment in the discount % due to the discrepancy in the enrollment numbers because the adjustment calculated by the auditors drops the E-rate discount below the priority two funding floor for the related years. The COMAD amount is excessive and will create undue hardship on the district which seems unwarranted based on the fact that the applicant followed the rules to the best of their ability.

Since the applicant completed the discount information to the best of their ability with the reports available at the time, we believe that the funding commitment should be approved as

originally funded. We respectfully request that the reviewer take into consideration the fact that the district followed all guidance they were provided by the state and by USAC guidelines for Block 4 numbers. The specific numbers of students enrolled, and the specific numbers eligible were all from official documents available prior to the close of the filing window.

Therefore, we respectfully request that the funding commitment be approved as originally funded.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jane Kellogg', with a large, stylized loop at the beginning.

Jane Kellogg  
Consultant

Attachments:

- A. Funding Commitment Adjustment and Appeal Denial Letters
- B. Block 4 Determination Documents
- C. Low Income School Documentation
- D. Letter of Agency

KELLOGG & SOVEREIGN® CONSULTING, LLC

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## **ATTACHMENT A**

### Notification of Commitment Adjustment And Denial of Appeal Letters



Universal Service Administrative Company

Schools and Libraries Division

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**Notification of Commitment Adjustment Letter****Funding Year 2007: July 1, 2007 - June 30, 2008**

August 18, 2010

**Debi Sovereign or Jane Kellogg****MIDWEST CITY-DEL CITY SCH DIST****PO Box 130****Allen, OK 74825**

**Re: Form 471 Application Number:** 559836  
**Funding Year:** 2007  
**Applicant's Form Identifier:** MDS-Y10-471  
**Billed Entity Number:** 139839  
**FCC Registration Number:** 0013039094  
**SPIN:** 143015254  
**Service Provider Name:** OneNet (Oklahoma State Regents)  
  
**Service Provider Contact Person:** Ami Layman

Our routine review of Schools and Libraries Program (Program) funding commitments has revealed certain applications where funds were committed in violation of Program rules.

In order to be sure that no funds are used in violation of Program rules, the Universal Service Administrative Company (USAC) must now adjust your overall funding commitment. The purpose of this letter is to make the required adjustments to your funding commitment, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error (if any).

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for USAC to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of that letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at [http://www.fcc.gov/debt\\_collection/faq.html](http://www.fcc.gov/debt_collection/faq.html).

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Schools and Libraries Division - Correspondence Unit  
100 South Jefferson Road, P.O. Box 902, Whippany, NJ 07981  
Visit us online at: [www.usac.org/sl](http://www.usac.org/sl)

**ATTACHMENT # A-14**

**Funding Commitment Adjustment Report for  
Form 471 Application Number: 559836**

Funding Request Number:	1545705
Services Ordered:	INTERNET ACCESS
SPIN:	143015254
Service Provider Name:	OneNet (Oklahoma State Regents)
Contract Number:	MTM
Billing Account Number:	405-737-4461
Site Identifier:	139839
Original Funding Commitment:	\$22,080.00
Commitment Adjustment Amount:	\$1,104.00
Adjusted Funding Commitment:	\$20,976.00
Funds Disbursed to Date	\$22,080.00
Funds to be Recovered from Applicant:	\$1,104.00

**Funding Commitment Adjustment Explanation:**

After a thorough review, it was determined that the funding commitment for this request must be reduced by \$1,104.00. On the original Form 471 the applicant was approved at a 80 percent discount. FCC rules indicate that the level of poverty shall be measured by the percentage of the student enrollment that is eligible for a free or reduced price lunch under the national school lunch program or a federally-approved alternative mechanism. During an audit it was determined that the applicant is only eligible to receive a 76 percent discount. The beneficiary calculated its discount percentage using counts of students of all ages eligible for free and reduced meals under the NSLP, but used total enrollment counts of students aged 5-17 only, resulting in a higher discount percentage being used. The discount rate was recalculated using the comparable counts of students of all ages. Accordingly, the commitment has been reduced by \$1,104.00 ( $\$27,600.00 \times (80\% - 76\%)$ ) and if recovery is required, USAC will seek recovery from the applicant.



Schools and Libraries Division

**Notification of Commitment Adjustment Letter**  
**Funding Year 2007: July 1, 2007 - June 30, 2008**

August 18, 2010

Debi Sovereign or Jane Kellogg  
MIDWEST CITY-DEL CITY SCH DIST  
PO Box 130  
Allen, OK 74825

Re: Form 471 Application Number: 559836  
Funding Year: 2007  
Applicant's Form Identifier: MDS-Y10-471  
Billed Entity Number: 139839  
FCC Registration Number: 0013039094  
SPIN: 143000889  
Service Provider Name: Nextel of Texas, Inc.  
  
Service Provider Contact Person: Christina Halley

Our routine review of Schools and Libraries Program (Program) funding commitments has revealed certain applications where funds were committed in violation of Program rules.

In order to be sure that no funds are used in violation of Program rules, the Universal Service Administrative Company (USAC) must now adjust your overall funding commitment. The purpose of this letter is to make the required adjustments to your funding commitment, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error (if any).

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for USAC to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of that letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at [http://www.fcc.gov/debt\\_collection/faq.html](http://www.fcc.gov/debt_collection/faq.html).

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Schools and Libraries Division - Correspondence Unit  
100 South Jefferson Road, P.O. Box 902, Whippany, NJ 07981  
Visit us online at: [www.usac.org/sl](http://www.usac.org/sl)

**ATTACHMENT # 1-16**

**Funding Commitment Adjustment Report for  
Form 471 Application Number: 559836**

Funding Request Number:	1545636
Services Ordered:	TELCOMM SERVICES
SPIN:	143000889
Service Provider Name:	Nextel of Texas, Inc.
Contract Number:	MTM
Billing Account Number:	757607426
Site Identifier:	139839
Original Funding Commitment:	\$42,162.43
Commitment Adjustment Amount:	\$2,108.12
Adjusted Funding Commitment:	\$40,054.31
Funds Disbursed to Date	\$23,053.49
Funds to be Recovered from Applicant:	\$0.00

**Funding Commitment Adjustment Explanation:**

After a thorough review, it was determined that the funding commitment for this request must be reduced by \$2,108.12. On the original Form 471 the applicant was approved at a 80 percent discount. FCC rules indicate that the level of poverty shall be measured by the percentage of the student enrollment that is eligible for a free or reduced price lunch under the national school lunch program or a federally-approved alternative mechanism. During an audit it was determined that the applicant is only eligible to receive a 76 percent discount. The beneficiary calculated its discount percentage using counts of students of all ages eligible for free and reduced meals under the NSLP, but used total enrollment counts of students aged 5-17 only, resulting in a higher discount percentage being used. The discount rate was recalculated using the comparable counts of students of all ages. Accordingly, the commitment has been reduced by \$2,108.12 ( $\$52,703.04 \times (80\% - 76\%)$ ) and if recovery is required, USAC will seek recovery from the applicant.





Schools and Libraries Division

**Notification of Commitment Adjustment Letter****Funding Year 2007: July 1, 2007 - June 30, 2008**

August 18, 2010

**Pam Deering****MIDWEST CITY-DEL CITY SCH DIST****7217 SE 15TH ST****MIDWEST CITY, OK 73110**

**Re: Form 471 Application Number:** 562205  
**Funding Year:** 2007  
**Applicant's Form Identifier:** MDS-Y10-471-B  
**Billed Entity Number:** 139839  
**FCC Registration Number:** 0013039094  
**SPIN:** 143004698  
**Service Provider Name:** United Systems, Inc.  
**Service Provider Contact Person:** Heather Ellison

Our routine review of Schools and Libraries Program (Program) funding commitments has revealed certain applications where funds were committed in violation of Program rules.

In order to be sure that no funds are used in violation of Program rules, the Universal Service Administrative Company (USAC) must now adjust your overall funding commitment. The purpose of this letter is to make the required adjustments to your funding commitment, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error (if any).

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for USAC to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of that letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at [http://www.fcc.gov/debt\\_collection/faq.html](http://www.fcc.gov/debt_collection/faq.html).

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Schools and Libraries Division - Correspondence Unit  
100 South Jefferson Road, P.O. Box 902, Whippany, NJ 07981  
Visit us online at: [www.usac.org/sl](http://www.usac.org/sl)

**ATTACHMENT # A-10**

**Funding Commitment Adjustment Report for  
Form 471 Application Number: 562205**

Funding Request Number:	1550804
Services Ordered:	INTERNAL CONNECTIONS MNT
SPIN:	143004698
Service Provider Name:	United Systems, Inc.
Contract Number:	N/A
Billing Account Number:	405-737-4461
Site Identifier:	139839
Original Funding Commitment:	\$11,610.00
Commitment Adjustment Amount:	\$11,610.00
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date	\$11,610.00
Funds to be Recovered from Applicant:	\$11,610.00

**Funding Commitment Adjustment Explanation:**

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During an audit it was determined that USAC erroneously committed funds for FRN 1550804. On the original Form 471 the applicant was approved at a 90 percent discount. FCC rules indicate that the level of poverty shall be measured by the percentage of the student enrollment that is eligible for a free or reduced price lunch under the national school lunch program or a federally-approved alternative mechanism. During the audit it was determined that the applicant is only eligible to receive an 80 percent discount. The beneficiary calculated its discount percentage using counts of students of all ages eligible for free and reduced meals under the NSLP, but used total enrollment counts of students aged 5-17 only, resulting in a higher discount percentage being used. The discount rate was recalculated using the comparable counts of students of all ages. Pursuant to the FCC rules, requests for basic maintenance of internal connections are given second priority and, when demand for discounts for basic maintenance of internal connections exceeds available support, funding should be awarded first to applicants eligible for 90% discount level and then at each descending single discount percentage level until funds are depleted. Since it was determined that your FY 2007 request for funding was for basic maintenance of internal connections and approved for 80 percent, and taking into account a fact that there were not sufficient funds for FY 2007 to provide basic maintenance of internal connections to applicants at your discount rate, your funding commitment has been rescinded in full and USAC will seek recovery of any disbursed funds from the applicant.

471 # 562205

Funding Request Number: 1551257  
Services Ordered: INTERNAL CONNECTIONS MNT  
SPIN: 143004698  
Service Provider Name: United Systems, Inc.  
Contract Number: N/A  
Billing Account Number: 405-737-4461  
Site Identifier: 139839  
Original Funding Commitment: \$22,410.00  
Commitment Adjustment Amount: \$22,410.00  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$22,410.00  
Funds to be Recovered from Applicant: \$22,410.00

## Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During an audit it was determined that USAC erroneously committed funds for FRN 1551257. On the original Form 471 the applicant was approved at a 90 percent discount. FCC rules indicate that the level of poverty shall be measured by the percentage of the student enrollment that is eligible for a free or reduced price lunch under the national school lunch program or a federally-approved alternative mechanism. During the audit it was determined that the applicant is only eligible to receive an 80 percent discount. The beneficiary calculated its discount percentage using counts of students of all ages eligible for free and reduced meals under the NSLP, but used total enrollment counts of students aged 5-17 only, resulting in a higher discount percentage being used. The discount rate was recalculated using the comparable counts of students of all ages. Pursuant to the FCC rules, requests for basic maintenance of internal connections are given second priority and, when demand for discounts for basic maintenance of internal connections exceeds available support, funding should be awarded first to applicants eligible for 90% discount level and then at each descending single discount percentage level until funds are depleted. Since it was determined that your FY 2007 request for funding was for basic maintenance of internal connections and approved for 80 percent, and taking into account a fact that there were not sufficient funds for FY 2007 to provide basic maintenance of internal connections to applicants at your discount rate, your funding commitment has been rescinded in full and USAC will seek recovery of any disbursed funds from the applicant.



Schools and Libraries Division

**Notification of Commitment Adjustment Letter**  
**Funding Year 2007: July 1, 2007 - June 30, 2008**

August 18, 2010

**Pam Deering**  
**MIDWEST CITY-DEL CITY SCH DIST**  
**7217 SE 15TH ST**  
**MIDWEST CITY, OK 73110**

**Re: Form 471 Application Number:** 578369  
**Funding Year:** 2007  
**Applicant's Form Identifier:** MDS-Y10-471-D  
**Billed Entity Number:** 139839  
**FCC Registration Number:** 0013039094  
**SPIN:** 143004698  
**Service Provider Name:** United Systems, Inc.  
  
**Service Provider Contact Person:** Heather Ellison

Our routine review of Schools and Libraries Program (Program) funding commitments has revealed certain applications where funds were committed in violation of Program rules.

In order to be sure that no funds are used in violation of Program rules, the Universal Service Administrative Company (USAC) must now adjust your overall funding commitment. The purpose of this letter is to make the required adjustments to your funding commitment, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error (if any).

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for USAC to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of that letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at [http://www.fcc.gov/debt\\_collection/faq.html](http://www.fcc.gov/debt_collection/faq.html).

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**ATTACHMENT # 21**

**Funding Commitment Adjustment Report for  
Form 471 Application Number: 578369**

Funding Request Number:	1599784
Services Ordered:	INTERNAL CONNECTIONS MNT
SPIN:	143004698
Service Provider Name:	United Systems, Inc.
Contract Number:	N/A
Billing Account Number:	
Site Identifier:	139839
Original Funding Commitment:	\$34,109.96
Commitment Adjustment Amount:	\$34,109.96
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date	\$34,109.96
Funds to be Recovered from Applicant:	\$34,109.96

**Funding Commitment Adjustment Explanation:**

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of an audit it was determined that USAC erroneously committed funds for FRN 1599784. On the original Form 471 the applicant was approved at a 90 percent discount. FCC rules indicate that the level of poverty shall be measured by the percentage of the student enrollment that is eligible for a free or reduced price lunch under the national school lunch program or a federally-approved alternative mechanism. During the course of an audit it was determined that the applicant is only eligible to receive an 80 percent discount. the beneficiary calculated its discount percentage using counts of students of all ages eligible for free and reduced meals under the NSLP, but used total enrollment counts of students aged 5-17 only, resulting in a higher discount percentage being used. The discount rate was recalculated using the comparable counts of students of all ages. Pursuant to the FCC rules, requests for basic maintenance of internal connections are given second priority and, when demand for discounts for basic maintenance of internal connections exceeds available support, funding should be awarded first to applicants eligible for 90% discount level and then at each descending single discount percentage level until funds are depleted. Since it was determined that your FY 2007 request for funding was for basic maintenance of internal connections and approved for 80 percent, and taking into account a fact that there were not sufficient funds for FY 2007 to provide basic maintenance of internal connections to applicants at your discount rate, your funding commitment has been rescinded in full and USAC will seek recovery of any disbursed funds from the applicant.



**Universal Service Administrative Company**  
Schools & Libraries Division

### Administrator's Decision on Appeal – Funding Year 2007-2008

January 28, 2011

Jane Kellogg  
Kellogg & Sovereign Consulting, LLC  
1101 Stadium Drive  
Ada, OK 74820

Re: Applicant Name: MIDWEST CITY-DEL CITY SCH DIST  
Billed Entity Number: 139839  
Form 471 Application Number: 578369  
Funding Request Number(s): 1599784  
Your Correspondence Dated: October 18, 2010

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2007 Commitment Adjustment Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1599784  
Decision on Appeal: **Denied**  
Explanation:

- After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of an audit it was determined that USAC erroneously committed funds for FRN 1599784. On the original Form 471 the applicant was approved at a 90 percent discount. FCC rules indicate that the level of poverty shall be measured by the percentage of the student enrollment that is eligible for a free or reduced price lunch under the national school lunch program or a federally-approved alternative mechanism. On the original Form 471 the applicant was approved at a 90 percent discount. During the audit it was determined that BEN 83786, Del City High School is only eligible to receive an 80 percent discount. The beneficiary calculated its discount percentage using counts of students of all ages eligible for free and reduced meals under the NSLP, but used total enrollment counts of students aged 5-17 only, resulting in a higher discount percentage being used. The discount rate was recalculated using the comparable counts of students of all ages. Pursuant to the FCC rules, requests

for basic maintenance of internal connections are given second priority and, when demand for discounts for basic maintenance of internal connections exceeds available support, funding should be awarded first to applicants eligible for 90% discount level and then at each descending single discount percentage level until funds are depleted. Since it was determined that your FY 2007 request for funding was for basic maintenance of internal connections and approved for 80 percent, and taking into account a fact that there were not sufficient funds for FY 2007 to provide basic maintenance of internal connections to applicants at your discount rate, your funding commitment has been rescinded in full. On appeal you have not provided any evidence that USAC erred in its decision to rescind funding. Consequently, your appeal is denied.

- FCC rules provide that the discount available to an applicant is determined by indicators of poverty and high cost. See 47 C.F.R. sec. 54.505(b). The level of poverty is measured by the percentage of students enrolled in a school or school district who are eligible for a free or reduced price lunch under the National School Lunch Program (NSLP), or a federally-approved alternative mechanism. Alternatively, the level of poverty is measured according to participation in Medicaid, Food Stamps, Supplementary Security Income (SSI), Federal Public Housing Assistance or Section 8, or Low Income Home Energy Assistance Program (LIHEAP). See Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order, 12 FCC Rcd 8776, 9045, FCC 97-157 para. 510 n. 1334 (rel. May 8, 1997). The high cost determination is made pursuant to FCC rules that classify a school or library as rural or urban. See 47 C.F.R. sec. 54.505(b)(3). An applicant's discount rate is determined by reference to a matrix based upon the level of poverty and whether the entity is classified as rural or urban. See 47 C.F.R. sec. 54.505(c).
- FCC rules require that where demand for funding exceeds available support, first priority be given to requests for Telecommunications Services and Internet Access. See 47 C.F.R. sec. 54.507(g)(1)(i). FCC rules further require that requests for Internal Connections be given second priority, and be funded only if funds remain after support has been reserved for Telecommunications and Internet Access through all discount levels in a funding year. See 47 C.F.R. sec. 54.507(g)(1)(ii). Where demand for discounts for Internal Connections exceeds available support, FCC Rules require that funding be allocated to the most economically disadvantaged schools and libraries as determined by the matrix. See 47 C.F.R. secs. 54.505(c), 54.507(g)(1)(ii). Pursuant to the matrix, funds are allocated first to applicants eligible for a 90% discount, then to schools and libraries eligible for an 80% discount, and in the same manner until no funds remain. See 47 C.F.R. sec. 54.507(g)(1)(ii)-(iii). For schools and libraries that create consortia for the purposes of making funding requests and sharing products and/or services, the discount level is calculated by averaging the applicable discounts of the schools and libraries that are members of the consortia. See 47 C.F.R. sec. 54.505(4). Because discount levels for consortia are determined in this manner, the discount levels for shared products and/or services requests are single discount level percentages rather than the broad discount level percentages for individual schools and libraries as determined by the matrix. See Federal-State Joint Board on Universal Service, CC Docket Nos. 97-21 and 96-45, Fifth Order on Reconsideration in CC Docket No. 97-21, Eleventh Order on Reconsideration in CC Docket No. 96-45 and Further Notice of Proposed Rulemaking, 14 FCC Rcd 6033, FCC 99-49 (rel. May 28, 1999). Consequently, where demand for discounts for Internal Connections exceeds available support, FCC rules require that funding be awarded first

to applicants eligible for a 90 percent discount level, and then at each descending single discount percentage until funds are depleted. See 47 C.F.R. sec. 54.507(g)(1)(iii).

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

cc: Pam Deering



Jane Kellogg  
Kellogg & Sovereign Consulting, LLC  
1101 Stadium Drive  
Ada, OK 74820

Billed Entity Number: 139839  
Form 471 Application Number: 578369  
Form 486 Application Number:



**Universal Service Administrative Company**  
Schools & Libraries Division

**Administrator's Decision on Appeal – Funding Year 2007-2008**

January 28, 2011

Jane Kellogg  
Kellogg & Sovereign Consulting, LLC  
1101 Stadium Drive  
Ada, OK 74820

Re: Applicant Name: MIDWEST CITY-DEL CITY SCH DIST  
Billed Entity Number: 139839  
Form 471 Application Number: 562205  
Funding Request Number(s): 1551257, 1550804  
Your Correspondence Dated: October 18, 2010

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2007 Commitment Adjustment Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1551257  
Decision on Appeal: **Approved**  
Explanation:

- Your appeal has brought forward persuasive information that for Funding Year 2007 BEN 83788-Del Crest Junior High School is eligible for an e-rate discount of 90 percent.

Funding Request Number(s): 1550804  
Decision on Appeal: **Denied**  
Explanation:

- After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of an audit it was determined that USAC erroneously committed funds for FRN 1550804. On the original Form 471 the applicant was approved at a 90 percent discount. FCC rules indicate that the level of poverty shall be measured by the percentage of the student enrollment that is eligible for a free or reduced price lunch under the national school lunch program or a federally-approved

alternative mechanism. On the original Form 471 the applicant was approved at a 90 percent discount. During the audit it was determined that BEN 83743, Country States Elementary School is only eligible to receive an 80 percent discount. The beneficiary calculated its discount percentage using counts of students of all ages eligible for free and reduced meals under the NSLP, but used total enrollment counts of students aged 5-17 only, resulting in a higher discount percentage being used. The discount rate was recalculated using the comparable counts of students of all ages. Pursuant to the FCC rules, requests for basic maintenance of internal connections are given second priority and, when demand for discounts for basic maintenance of internal connections exceeds available support, funding should be awarded first to applicants eligible for 90% discount level and then at each descending single discount percentage level until funds are depleted. Since it was determined that your FY 2007 request for funding was for basic maintenance of internal connections and approved for 80 percent, and taking into account a fact that there were not sufficient funds for FY 2007 to provide basic maintenance of internal connections to applicants at your discount rate, your funding commitment has been rescinded in full. On appeal you have not provided any evidence that USAC erred in its decision to rescind funding. Consequently, your appeal is denied.

- FCC rules provide that the discount available to an applicant is determined by indicators of poverty and high cost. See 47 C.F.R. sec. 54.505(b). The level of poverty is measured by the percentage of students enrolled in a school or school district who are eligible for a free or reduced price lunch under the National School Lunch Program (NSLP), or a federally-approved alternative mechanism. Alternatively, the level of poverty is measured according to participation in Medicaid, Food Stamps, Supplementary Security Income (SSI), Federal Public Housing Assistance or Section 8, or Low Income Home Energy Assistance Program (LIHEAP). See Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order, 12 FCC Rcd 8776, 9045, FCC 97-157 para. 510 n. 1334 (rel. May 8, 1997). The high cost determination is made pursuant to FCC rules that classify a school or library as rural or urban. See 47 C.F.R. sec. 54.505(b)(3). An applicant's discount rate is determined by reference to a matrix based upon the level of poverty and whether the entity is classified as rural or urban. See 47 C.F.R. sec. 54.505(c).
- FCC rules require that where demand for funding exceeds available support, first priority be given to requests for Telecommunications Services and Internet Access. See 47 C.F.R. sec. 54.507(g)(1)(i). FCC rules further require that requests for Internal Connections be given second priority, and be funded only if funds remain after support has been reserved for Telecommunications and Internet Access through all discount levels in a funding year. See 47 C.F.R. sec. 54.507(g)(1)(ii). Where demand for discounts for Internal Connections exceeds available support, FCC Rules require that funding be allocated to the most economically disadvantaged schools and libraries as determined by the matrix. See 47 C.F.R. secs. 54.505(c), 54.507(g)(1)(ii). Pursuant to the matrix, funds are allocated first to applicants eligible for a 90% discount, then to schools and libraries eligible for an 80% discount, and in the same manner until no funds remain. See 47 C.F.R. sec. 54.507(g)(1)(ii)-(iii). For schools and libraries that create consortia for the purposes of making funding requests and sharing products and/or services, the discount level is calculated by averaging the applicable discounts of the schools and libraries that are members of the consortia. See 47 C.F.R. sec. 54.505(4). Because discount levels for consortia are determined in this manner, the discount levels for shared products and/or

services requests are single discount level percentages rather than the broad discount level percentages for individual schools and libraries as determined by the matrix. See Federal-State Joint Board on Universal Service, CC Docket Nos. 97-21 and 96-45, Fifth Order on Reconsideration in CC Docket No. 97-21, Eleventh Order on Reconsideration in CC Docket No. 96-45 and Further Notice of Proposed Rulemaking, 14 FCC Rcd 6033, FCC 99-49 (rel. May 28, 1999). Consequently, where demand for discounts for Internal Connections exceeds available support, FCC rules require that funding be awarded first to applicants eligible for a 90 percent discount level, and then at each descending single discount percentage until funds are depleted. See 47 C.F.R. sec. 54.507(g)(1)(iii).

Since the Administrator's Decision on Appeal restores the original commitments for your application, USAC will issue a Revised Funding Commitment Decision Letter (RFCDL) to you and to each service provider that provides the services approved for discounts in this letter. USAC will issue the RFCDL to you as soon as possible. The RFCDL will inform you of the precise dollar value of your approved funding request(s). As you await the RFCDL, you may share this Administrator's Decision on Appeal with the relevant service provider(s).

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

cc: Pam Deering

Jane Kellogg  
Kellogg & Sovereign Consulting, LLC  
1101 Stadium Drive  
Ada, OK 74820

Billed Entity Number: 139839  
Form 471 Application Number: 562205  
Form 486 Application Number:



**Universal Service Administrative Company**  
Schools & Libraries Division

### **Administrator's Decision on Appeal – Funding Year 2007-2008**

January 28, 2011

Jane Kellogg  
Kellogg & Sovereign Consulting, LLC  
1101 Stadium Drive  
Ada, OK 74820

Re: Applicant Name: MIDWEST CITY-DEL CITY SCH DIST  
Billed Entity Number: 139839  
Form 471 Application Number: 559836  
Funding Request Number(s): 1545636, 1545705  
Your Correspondence Dated: October 18, 2010

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2007 Commitment Adjustment Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1545636, 1545705  
Decision on Appeal: **Denied**  
Explanation:

- After a thorough review, USAC determined to reduce the funds committed under FRN numbers 1545636 and 1545705 by \$2,108.12 and \$1,104.00, respectively. On the original Form 471 the applicant was approved at an 80 percent discount. During an audit it was determined that the applicant is only eligible to receive a 76 percent discount. The beneficiary calculated its discount percentage using counts of students of all ages eligible for free and reduced meals under the NSLP, but used total enrollment counts of students aged 5-17 only, resulting in a higher discount percentage being used. The discount rate was recalculated using the comparable counts of students of all ages. On appeal you have not provided any evidence that USAC erred in its decision to rescind funding. Consequently, your appeal is denied.
- FCC rules provide that the discount available to an applicant is determined by indicators of poverty and high cost. See 47 C.F.R. sec. 54.505(b). The level of poverty is measured

by the percentage of students enrolled in a school or school district who are eligible for a free or reduced price lunch under the National School Lunch Program (NSLP), or a federally-approved alternative mechanism. Alternatively, the level of poverty is measured according to participation in Medicaid, Food Stamps, Supplementary Security Income (SSI), Federal Public Housing Assistance or Section 8, or Low Income Home Energy Assistance Program (LIHEAP). See Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order, 12 FCC Rcd 8776, 9045, FCC 97-157 para. 510 n. 1334 (rel. May 8, 1997). The high cost determination is made pursuant to FCC rules that classify a school or library as rural or urban. See 47 C.F.R. sec. 54.505(b)(3). An applicant's discount rate is determined by reference to a matrix based upon the level of poverty and whether the entity is classified as rural or urban. See 47 C.F.R. sec. 54.505(c).

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

cc: Pam Deering

Jane Kellogg  
Kellogg & Sovereign Consulting, LLC  
1101 Stadium Drive  
Ada, OK 74820

Billed Entity Number: 139839  
Form 471 Application Number: 559836  
Form 486 Application Number:



## **ATTACHMENT B**

### Low Income Determination Data

## LOW-INCOME STUDENT COUNT REPORT INSTRUCTIONS

**School Site Information:** Complete the form for each accredited site. When entering the information on the Web site, verify that the site numbers and names are correct. **PLEASE contact 405-521-3327 if there are any discrepancies.** Include the Grade Span that will be the lowest grade to the highest grade for each site. Valid grades are: Early Childhood (EC), kindergarten (KG), and 1 through 12. If **OPENING** a site, please contact the Accreditation Section at (405) 521-3333 before adding the new site to this form.

**Site Code:** Counts must be reported by accredited site number; i.e., 105, 705. If one cafeteria serves more than one school site, report each school site separately—not as one. Every accredited school site must be included. Nonaccredited sites must not be included.

**Site Name:** The name of the site identified by site number in Column 1.

**Grade Span Low-High:** Grades included at site identified in Columns 1 and 2.

**Note:** If a school district has **VIRTUAL** students, this information **MUST BE REPORTED** in a separate section of the **Low-Income Report**.

**Site Enrollment Aged 5-17:** Current enrollment for **ALL** students at this site, aged 5 through 17 as of **October 1**. Enrolled students who attend a nonaccredited site must be reported at the **ACCREDITED** site they should be attending. This figure must come from the October 1 Accreditation Report.

**NOTE:** This information is used for Title I purposes only. The actual statewide Low-Income Report will use **TOTAL** current enrollment figures verified by the Accreditation Section as of October 1.

**Students Enrolled and Eligible for Free/Reduced-Price:**

Enter the number of students who are **CURRENTLY ENROLLED** and **ELIGIBLE** for **FREE** or **REDUCED-PRICE** meals in the following categories. Enrolled students who attend a nonaccredited site must be reported at the **ACCREDITED** site they should be attending. Ages are as of the month of **October**. Virtual students should be included. (Students enrolled in adult education courses or out-of-home placement students are not to be reported on the Low-Income Report. Adult education classes are those conducted for the following purposes or groups: General Education Development [GED], Temporary Assistance for Needy Families [TANF], English as a Second Language (ESL), family literacy, life skills, etc.)

### STUDENTS ELIGIBLE FOR FREE MEALS

**Aged 4 and Under:** Enter the highest number of **CURRENTLY ENROLLED** students, 4 years of age and younger, who are **ELIGIBLE** for **FREE** meals during the month of October.

**Aged 5 Through 17:** Enter the highest number of **CURRENTLY ENROLLED** students, 5 through 17 years of age, who are **ELIGIBLE** for **FREE** meals during the month of October.

**Aged 18 and Over:** Enter the highest number of **CURRENTLY ENROLLED** students, 18 years of age and older, who are **ELIGIBLE** for **FREE** meals during the month of October.

**Total:** Total number of **CURRENTLY ENROLLED** students **ELIGIBLE** for **FREE** meals. If entering the information on to the Web site, this figure will be calculated by the system.

### STUDENTS ELIGIBLE FOR REDUCED-PRICE MEALS

**Aged 4 and Under:** Enter the highest number of **CURRENTLY ENROLLED** students, 4 years of age and younger, who are **ELIGIBLE** for **REDUCED-PRICE** meals during the month of October.

**Aged 5 Through 17:** Enter the highest number of **CURRENTLY ENROLLED** students, 5 through 17 years of age, who are **ELIGIBLE** for **REDUCED-PRICE** meals during the month of October.

**Aged 18 and Over:** Enter the highest number of **CURRENTLY ENROLLED** students, 18 years of age and older, who are **ELIGIBLE** for **REDUCED-PRICE** meals during the month of October.

**Total:** Total number of **CURRENTLY ENROLLED** students **ELIGIBLE** for **REDUCED-PRICE** meals. If entering the information on the Web site, this figure will be calculated by the system.

**Submitting the Report:** Click the **Submit** button to save this information at the State Department of Education (the **State Agency**). Print a hard copy, have the district superintendent sign the report in blue ink, and mail the hard copy to the office of Child Nutrition Programs (CNP).

# 471 Instructions

office or other administrative building(s) in your district is eligible for services, label this item "Administrative Entity" followed by the name, in parentheses, of the district office or other administrative building.

**Item 9a, Column 2:** List each school's Entity Number and NCES Code. If you do not know the Entity Number or NCES Code for a particular school or administrative building, contact CSB. CSB can also provide more information on how to locate NCES Codes.

**Item 9a, Column 3:** Indicate whether each school is located in an urban or a rural area. You should base your assessment on the table posted in the "Rural/Urban Classification" information on the SLD section of the USAC web site. Instructions accompanying the table will help you determine whether the school is located in an urban or a rural area for purposes of the universal service support mechanism.

## *Calculating Each School's Site-Specific Discount (Columns 4-7 and 9-10)*

**Item 9a, Column 4:** List the total number of K-12 students in each school. For "New School Construction" or for an "Administrative Entity," enter "0" in this item.

*No detail on which #s to use*

**Item 9a, Column 5:** Provide the number of students eligible for NSLP as of the October 1st prior to the filing of this form, or use the most current figure available. For "New School Construction" or for an "Administrative Entity," enter "0" in this item. You may choose to use an actual count of students eligible for the NSLP or use federally approved alternative mechanisms to determine the level of poverty for purposes of the universal service discount program. Schools using a federally approved alternative mechanism may use participation in other income-assistance programs, such as Medicaid, food stamps, Supplementary Security Income (SSI), federal public housing assistance (Section 8), or Low Income Home Energy Assistance Program (LIHEAP) to determine the number of students that would be eligible for the NSLP. See 34 C.F.R. § 200.28(a)(2)(i)(B). For more information, please refer to the "Alternative Discount Mechanisms Fact Sheet" posted on the SLD section of the USAC web site.

**Item 9a, Column 6:** For each school, divide Column 5 by Column 4 to arrive at the percentage of students eligible for NSLP. Discount calculations may be rounded up only when fully half a discount point is reached. For example, an urban school with a discount eligibility of 34.499% will round down to 34%, and an urban school with a discount eligibility of 34.500% will round up to 35%. For eligibility discounts of less than 1%, however, there is no rounding. For "New School Construction" or for an "Administrative Entity," leave this item blank.

**Item 9a, Column 7:** Using the percentage in Column 6 and the Discount Matrix (see below), you should determine the percentage discount to which the school is entitled. If you file online, the system will calculate this figure for you. If you have any questions about determining this figure, contact CSB. For "New School Construction" or for an "Administrative Entity" ONLY, enter the Weighted Average Discount for the School District. (A preparatory worksheet containing all the schools in the School District must be submitted documenting the Weighted Average Discount for the School District. If you are submitting your application on paper, a worksheet including all schools in the School District must be submitted and labeled "All Schools in the School District.")

**Item 9a, Column 9:** Check this box if the individual school includes pre-kindergarten, adult education, or juvenile justice students and/or facilities.

**Item 9a, Column 10:** Check this box if the individual school used an alternative discount mechanism to calculate its entry in Column 5 for the number of students eligible for NSLP.

### DISCOUNT MATRIX

<b>INCOME</b> <b>Measured by % of students eligible</b> <b>for the National School Lunch</b> <b>Program</b>	<b>URBAN LOCATION</b>	<b>RURAL LOCATION</b>
	<b>Discount</b>	<b>Discount</b>
If the percentage of students in your school that qualifies for the National School Lunch Program is...	...and you are in an URBAN area, your discount will be...	...and you are in a RURAL area, your discount will be...
Less than 1%	20%	25%
1% to 19%	40%	50%
20% to 34%	50%	60%
35% to 49%	60%	70%
50% to 74%	80%	80%
75% to 100%	90%	90%

#### *Calculating a Shared Discount for the School District (Column 8 and Item 9b)*

**Item 9a, Column 8:** For each school receiving an appropriate share of shared services, multiply the discount rate for the school (Column 7) by the number of students in the school (Column 4). If you file online, the system will calculate this figure for you. The product is the school's weighted discount. For "New School Construction" or for an "Administrative Entity," leave this item blank.

**Item 9b, Column 4:** Add all of the students in all of the schools listed, and enter the total into the last cell at the bottom of Column 4. If you file online, the system will calculate this figure for you.

**Item 9b, Column 8:** Add together all of the products in Column 8, and enter the total into the last cell at the bottom of Column 8. If you file online, the system will calculate this figure for you.

**Item 9b, Column 13:** Divide the total at the bottom of Column 8 by the total at the bottom of Column 4. Round the result to the nearest whole number percentage, and enter it into Column 13. Discount calculations may be rounded up only when fully half a discount point is reached. If you file online, the system will calculate this figure for you.

For a consortium, complete:

For the preparatory worksheets that determine the shared discounts for member entities that are school districts, library systems, or subsets of those entities sharing services:

- One worksheet for each consortium member that is a school district or library system
- One worksheet for each group of individual schools in one school district or each group of library outlets/branches in one library system that is sharing services.

For each worksheet that determines the shared discount for member entities sharing services:

- A complete entry as defined above for each individual school or library outlet/branch that is a consortium member
- An entry for each member entity represented by a preparatory worksheet, as follows:
  - Column 1 – Name of Eligible Entity
  - Column 2 – Entity Number
  - Column 12 – Discount of Member Entity
  - Total of Column 12 entries
  - Column 13 – Shared Discount

### **Detailed Instructions**

#### **Discount Calculation for those entities filing as Schools/School Districts**

If you checked the first or second box in Block 1, Item 5, you should use these instructions.

**Item 9a** - If you are filing this application as:

- a school, you need only complete one line of Item 9a, Columns 1-7 and Columns 9-10. All of the services for which you are applying will be subject to the same site-specific discount you calculate here.
- a school district serving more than one school, and you are requesting services that will go ONLY to individual schools and will not be shared, complete Columns 1-7 and Columns 9-10 of Item 9a for each school.
- a school district and ALL of the schools in your district will share one or more services (whether or not those schools will also receive site-specific services), complete Columns 1-10 for each of your schools PLUS Item 9b for school districts.
- a school district and some services you are requesting will be shared by some schools and not others (whether or not those schools will also receive site-specific services), complete a separate worksheet, Columns 1-10 PLUS Item 9b for school districts, for each different group of schools sharing a service, which will result in a weighted average discount for that group of schools. You will then label the worksheets 1, 2, 3, etc.

**Item 9b** - Use this item as instructed in Item 9a to calculate the appropriate discount(s).

**Item 9a, Column 1:** For each school included in your application, list the school by name on a separate row. For a new school under construction, label this item "New School Construction" followed by the name of the school, in parentheses, if it is known at the time the Form 471 is submitted. If your district

the Protecting Children in the 21st Century Act. Comments on the NPRM are due to the FCC on or before February 18, 2010, and reply comments on or before March 5, 2010. For information on how to file comments, refer to [Public Notice DA 10-102](#).

### January 28 Invoicing Deadline for Non-recurring Services

If the last date for the delivery and installation of your non-recurring services was September 30, 2009, the deadline for invoicing USAC for those services is January 28, 2010. This deadline applies both to service providers that file Service Provider Invoice (SPI) Forms 474 and applicants that file Billed Entity Applicant Reimbursement (BEAR) Forms 472.

This deadline applies to non-recurring services for FY2008 that have not received a service delivery deadline extension or invoice deadline extension and also to non-recurring services from previous funding years that received a service delivery extension to September 30, 2009.

Applicants and service providers can file invoices online. You can find links to the online BEAR Form and SPI Form – as well as a service provider link to approve BEAR Forms filed by applicants online – on the [Required Forms](#) page.

If you want to know the last day to invoice for a particular funding request, refer to the [FRN Extension Table](#) on the USAC website. Remember, if you miss the invoicing deadline, you can file an [invoice deadline extension request](#).

### "Form 470 But No Form 471" Letters Issued

Today USAC issued just over 27,000 letters to applicants notifying them that, as of January 14, they had not yet filed a Form 471 featuring their FY2010 Form 470 application number in Item 11 of a funding request.

**This letter is NOT a reminder to file a Form 471 as soon as possible.** Applicants must still wait at least 28 days after the posting date of the Form 470 to close their competitive bidding process, evaluate bids received, select a service provider, sign and date a contract (if applicable), and sign and submit the Form 471. This letter is only a notification that – according to USAC's database – as of January 14, no FY2010 Form 471 has been filed that cites the timely filed Form 470 posted by the applicant named on the letter.

If you receive a "Notification of Form 470 Posted But No Associated Form 471" letter and you are planning to file a Form 471, be sure to complete all necessary actions in time to file your online Form 471 or postmark your paper Form 471 no later than 11:59 p.m. EST on Thursday, February 11, 2010.

### Calculating Discounts

In Block 4 of the Form 471, applicants list the individual recipients of service for a particular Block 5 funding request and calculate the appropriate discount level for those recipients. The [Form 471 Instructions](#) provide detailed guidance on calculating discounts; below we have provided a high-level summary of discount calculations for specific situations.

As always, we encourage you to file online. Warning messages and informational pop-ups can help you through the discount calculation process and avoid the problem resolution activities that occur during USAC's data entry of paper forms.

### General Information

To calculate the discount for an individual entity (recipient of service), you need two pieces of information:

- The urban or rural status of the entity, which you can determine using the physical location of the entity and the appropriate state list linked to the guidance document [Rural/Urban Classification](#).
- The percentage of students eligible for the National School Lunch Program (NSLP). (See below for a short discussion of alternatives to NSLP.)

ATTACHMENT # B-5

You can then find your discount in the Discount Matrix posted on the USAC website. Locate the row that includes the percentage of students eligible for NSLP and then find your discount in the urban or rural column, as appropriate.

Following is information on how to calculate discounts for different types of entities:

#### **Individual school**

Divide the number of students eligible for NSLP at the school by the total number of students at the school. Use this number (the percentage of students eligible for NSLP) and the urban or rural status of the school to look up the discount on the Discount Matrix.

#### **Library outlet/branch**

Divide the number of students eligible for NSLP in the school district in which the library outlet/branch is located by the total number of students in that school district. Use this number and the urban or rural status of the library outlet/branch to look up the discount on the Discount Matrix.

#### **School district**

List each individual school in the school district in a Block 4 worksheet and calculate the E-rate discount for each school as described above. Then multiply the E-rate discount for each school by the number of students in the school (the "weighted product"). Add together all the weighted products and divide the result by the total number of students in the school district to get the "weighted average discount" for the school district.

#### **Library system or library consortium**

List each library outlet/branch in a Block 4 worksheet, and calculate the E-rate discount for each outlet/branch as described above. Add together all the discounts and divide that total by the number of outlets/branches to get the "simple average discount" for the library system. Note that if all of the outlets/branches are located in the same school district, all of the discounts – and the simple average of the discounts – will be the same.

#### **Consortium of schools and/or libraries**

List each consortium member on a Block 4 worksheet and calculate the E-rate discount for each member as described above. (Note that you will use a separate worksheet first to calculate the discount for a school district or library system that is a consortium member.) Then calculate the simple average of the discounts of the members.

#### **School or library non-instructional facility (NIF) without classrooms**

A non-instructional facility or NIF is a school building without classrooms or a library building without public areas. (Some school NIFs do contain classrooms - see below.)

A school NIF without classrooms is eligible for the shared discount of its school district. If you have not already done so in your application, complete a worksheet for the school district calculation as described above.

- TIP: If you are filing online, enter the entity number for the NIF in a line of a Block 4 worksheet. Enter "0" (zero) in the fields labeled "4. Total Number of Students" and "5. Number of Students Eligible for NSLP" and check the box to the right of the field labeled "eligible for a non matrix discount." (We call this discount a non-matrix discount because this discount is a weighted average and probably does not appear in the Discount Matrix). Then enter the school district's weighted average discount.

For a NIF in a library system, use the library outlet/branch calculation as described above.

#### **School NIF with classrooms**

If the student population in the classroom(s) is fixed (the same students are expected to attend class every day), use the calculation for an individual school as described above.

If the student population varies from day to day or over time, use a "snapshot" of the student population for your calculation. Choose a particular day and calculate the percentage NSLP eligibility for the student population in the classroom for that day and carry that percentage eligibility into the Discount Matrix. Be sure to maintain documentation of your calculation.

**New school or library construction**

For a school, if you know the student population of the new school, calculate the discount for an individual school as described above. If you don't know the student population of the new school, use the school district weighted average as described above.

For a library, calculate the discount for the library outlet/branch as described above using the information from the school district in which the new building will be located.

**Head Start, pre-kindergarten, juvenile justice, or adult education**

First, you must determine if the students and/or facilities in these programs are eligible in your state using the [Eligibility Table for Non-traditional K-12 Students and Facilities](#). If they are eligible, calculate the discount for an individual school (or a NIF with classrooms as appropriate) as described above.

**Alternative discount mechanisms**

For schools that either do not participate in NSLP or choose not to use NSLP participation numbers, there are certain acceptable [alternative discount mechanisms](#) that can be used to calculate an equivalent measure for the percentage of students eligible for NSLP. In all cases, these mechanisms must be based on or not exceed the same measure of poverty used by NSLP.

Applicants using an alternative discount mechanism must maintain complete and appropriate documentation of their calculations to support their funding requests. Remember that documentation must be retained for five years after the last date to receive service.

In general, data from alternative discount mechanisms must be collected and verifiable on an individual student basis. There is only one exception: if you send a survey to all households in your school and at least half of the surveys are completed and returned, you can project a percentage of eligibility based on the returned surveys. Here are a few suggestions:

- Follow the website guidance carefully when you design your survey.
- NSLP forms CANNOT be used as surveys.
- Send one survey per household, not one per student.
- Number your surveys consecutively so that returned surveys are easier to track.
- If you do a projection, base it ONLY on returned surveys. You can combine multiple sources of data if you are verifying your data student by student, but NOT in a projection.

For detailed information on surveys and other alternatives to NSLP, refer to the [Alternative Discount Mechanism Fact Sheet](#). For general information on calculating discounts, refer to the [Form 471 Instructions](#).

You may download and print copies of [Schools and Libraries News Briefs](#) on USAC's website. You may [subscribe](#) to or [unsubscribe](#) from this news brief. For program information, please visit the [Schools and Libraries area](#) of the USAC website, [submit a question](#), or call us toll-free at 1-888-203-8100. Feel free to forward this news brief to any interested parties.

Please do not reply to this email directly, as it was sent from an unattended mailbox.

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ATTACHMENT # B-7



[Back](#)

## Schools and Libraries News Brief

January 22, 2010

### FY2010 WINDOW COUNTDOWN

Days to window close	20
Forms 471 filed to date	6,373
Form 471 Deadline: February 11, 2010 at 11:59 p.m. EST	

**TIP OF THE WEEK:** If you need to request new entity numbers or updates to existing entities, we suggest that you do so now. For a list of the information we need to create or update an entity in our database, refer to the guidance on [Entity Numbers](#) on the USAC website.

### Commitments for Funding Years 2009 and 2008

**Funding Year 2009.** USAC will release FY2009 Wave 37 Funding Commitment Decision Letters (FCDLs) January 26. This wave will include commitments for approved Internal Connections and Basic Maintenance requests at 80% and above and denials at 54% and below. As of January 22, FY2009 commitments total just under \$2.11 billion.

**Funding Year 2008.** USAC will release FY2009 Wave 78 FCDLs January 27. This wave will include commitments for approved Internal Connections and Basic Maintenance requests at 87% and above and denials at 86% and below. As of January 22, FY2008 commitments total just under \$2.45 billion.

On the day the FCDLs are mailed, you can check to see if you have a commitment by using USAC's [Automated Search of Commitments](#) tool.

### Item on Tentative Agenda for Next FCC Open Meeting

On January 21, 2010, the FCC Chairman Julius Genachowski announced that, among other things, the following item will be on the tentative agenda for the next open meeting scheduled for Thursday, February 11, 2010: An Order and Notice of Proposed Rulemaking to enable schools that receive funding from the E-Rate program to allow members of the general public to use the schools' Internet access during non-operating hours at no additional cost to the Universal Service Fund. This order and notice do not permit or require any changes to E-Rate applications due on February 11, 2010.

### Comment Period Established for CIPA NPRM

On November 5, 2009, the FCC released a Notice of Proposed Rule Making (NPRM) [FCC 09-96](#) to propose revising the FCC rules regarding the E-rate program to comply with the requirements of

ATTACHMENT # B.1  
10/8/2010

Oklahoma  
Validation of  
Low Income  
Data  
ATTACHMENT # 31

**OKLAHOMA STATE DEPARTMENT OF EDUCATION**  
**METHODOLOGY USED TO DETERMINE THE LOW INCOME DATA REPORTED TO USAC**

-----Original Message-----

From: Patti High [mailto:patti\_high@sde.state.ok.us]

Sent: Tuesday, January 20, 2009 5:06 PM

To: Jane Kellogg

Cc: Sharon Lease; Dee Baker; Lealon Taylor; Sandy Garrett

Subject: Clarification on Processes for J Kellogg

Jane, in response to your request for clarification in writing, of the state procedures for collecting and using input data from schools to produce the (e37560) Low Income Report, I offer the following:

A. Process for collecting Oklahoma Fall student enrollment data:

- 1) Each October, school sites enter student enrollment through an on-line Web-based grade grid on the Statistical Information page of the Accreditation Application.
  - The grid collects the enrollment as of Oct. 1, by grade, race/ethnicity and gender.
  - Principals certify the data; then the district Superintendent must certify the data.
- 2) Once the reporting deadline has been reached, the data certified by superintendents is pulled into reports/spreadsheets with site-level, district, and state enrollment totals and comparisons for perusal/approval of the Accreditation office staff.
- 3) When problems are identified, the Accreditation Office rejects the district's application, contacts the district and requires them to modify and re-certify the Application. Proofing reports are re-run as corrections are made until no errors are apparent to Accreditation.
- 4) Once the Accreditation Office is satisfied with the data from all districts, they present the report for Superintendent Garrett's information.
- 5) Once Supt. Garrett reviews the data, reports are released to the public and reports/spreadsheets/files are provided to other staff/sections as needed.

B. The process and procedure for collecting Low Income Counts for Child Nutrition:

*Note: All data is entered and certified through the Web-based on-line Child Nutrition Programs (CNP) e-Claims system.*

1. July: As part of the process to renew their annual CNP Agreement, each school district enters a list of accredited school sites and the total number of sites that will be participating in the USDA school food programs. The district then certifies their agreement information. CNP staff review and then approve the agreements beginning in July, and in some cases all the way through September.

2. November: Each district enters its claim for October meals served, which includes the total count of students, by free, reduced -price and paid meal eligibility, for whichever October date had the highest free/reduced eligibility count.
3. November - after the October Claim has been completed, certified and paid:
  - School districts complete the October Low-Income Student Count, entering free and reduced-price eligible counts by age brackets for all sites participating in the meal program..
  - Counts are entered only for the sites that are participating in CNP,
  - The number of sites entered must equal the number of sites reported as participating on the CNP Agreement, Schedule A.
  - The total district free and reduced-price eligibles (sum of all the school site free and reduced counts across all age groups) must match the number of district free and reduced eligible students on their October claim.

Once the above edits have been passed, and superintendent certified, the district-provided Low Income Student Count becomes 'Approved.'

Note1: October 1 site enrollment counts reported by districts for ages 5- 17 on the Low Income Count Report, are not the same as the Accreditation enrollment number which represents all grades and ages. The Low Income Count enrollment for ages 5-17 is used as the denominator for Title I, to calculate the percentage of free and reduced-price eligible students, ages > or =5 and <18. When all districts' Low Income Student Counts have been approved, that data is provided to the Title I office for their examination and use in federal reporting.

Note2: USDA permits districts to revise claims in subsequent months. If the October claim revisions change any student counts, districts are required to revise their Low-income Count report accordingly, and vice-versa. Then new reports are generated for Title I.

4. The (e37560) Low Income Report, however, covers free and reduced counts for all age brackets, and therefore uses the full student body October 1 Enrollment count from the Accreditation Application as the denominator in computing %free, %reduced and % low income (free& reduced). The site data is summed to provide the district and county data and percents.
5. Once the State Superintendent has reviewed the data, the Accreditation enrollment data is available for release (usually early Feb.), Child Nutrition receives a file from Data Services, with the site and district October1 enrollment totals to use in generating the (e37560) Low Income Report.
6. In February, the (e37560) Low Income report is printed and published to the web.

Patti High  
 Chief Information Officer  
 Oklahoma State Department of Education  
 2500 N. Lincoln Blvd., Suite B-17  
 Oklahoma City, OK 73105-4599

405.521.3013 phone

## **ATTACHMENT C**

### Low Income Forms and Block 4's

Page

1.

2006-07

**SANDY GARRETT**  
State Superintendent of Public Instruction  
**OKLAHOMA STATE DEPARTMENT OF EDUCATION**

County 55 District 1052

**LOW-INCOME STUDENT COUNT**

Site Number	Site Name	Grade Span Low - High	Site Enrollment Ages 5-17	Students Enrolled and Eligible for Free/Reduced				
				Free/Reduced Free:	Ages 4 and Under	Ages 5-17	Ages 18 and Over	Total Free / Reduced
105	BARNES ES	EC - 06	✓ 383	Free:	11	158	0	169
110	CLEVELAND BAILEY ES	EC - 06	✓ 387	Reduced:	1	57	0	58
115	COUNTRY ESTATES ES	EC - 06	✓ 342	Free:	7	125	0	132
120	DEL CITY ES	EC - 06	✓ 438	Reduced:	5	71	0	76
125	EAST SIDE ES	EC - 06	✓ 430	Free:	11	190	0	201
130	EPPELRY HEIGHTS ES	EC - 06	✓ 621	Reduced:	4	58	0	62
135	PLEASANT HILL EC CTR	EC - 03	✓ 107	Free:	20	280	0	300
140	HIGHLAND PARK ES	EC - 06	✓ 526	Reduced:	3	98	0	101
145	RIDGECREST ES	EC - 06	✓ 393	Free:	11	287	0	298
150	SOLDIER CREEK ES	EC - 06	✓ 685	Reduced:	6	88	0	94
155	SOONER-ROSE ES	EC - 06	✓ 436	Free:	15	371	0	386
160	STEED ES	EC - 06	✓ 475	Reduced:	4	121	0	125
				Free:	16	58	0	74
				Reduced:	5	26	0	31
				Free:	25	402	0	427
				Reduced:	3	126	0	129
				Free:	10	159	0	169
				Reduced:	5	66	0	71
				Free:	14	255	0	269
				Reduced:	4	83	0	87
				Free:	17	254	0	271
				Reduced:	4	94	0	98
				Free:	16	336	0	352
				Reduced:	3	104	0	104

MAIL TO:

CHILD NUTRITION PROGRAMS  
2500 NORTH LINCOLN BLVD #3-10  
OKLAHOMA CITY, OK 73105

Sent to SDE  
12-7-06

SUPERINTENDENT SIGNATURE

Signature required in blue ink by Title I. The date for ages 5-17 will be used to determine next year's allocation.

DATE

Jan. 11 2007 04:59PM P2

FAX NO.: 14057391613

FROM: MID-DEL CHILD NUTRITION PROG

ATTACHMENT # 34

**SADY GARRETT**  
**State Superintendent of Public Instruction**  
**OKLAHOMA STATE DEPARTMENT OF EDUCATION**  
**LOW-INCOME STUDENT COUNT**

County 55 District 1052

LOW-INCOME STUDENT COUNT

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MAIL TO:

CHILD NUTRITION PROGRAMS  
 2500 NORTH LINCOLN BLVD #3-10  
 OKLAHOMA CITY, OK 73105

SUPERINTENDENT SIGNATURE DATE

Signature required in blue ink by Title I. The data for ages 5-17 will be used to determine next year's allocation.

Jan. 11 2007 04:59PM P3

FAX NO.: 14057391613

FROM: MID-DEL CHILD NUTRITION PROG

County 55 District 1052

LOW-INCOME STUDENT COUNT									
School Site Information				Students Enrolled and Eligible for Free/Reduced					
Site Number	Site Name	Grade Span Low - High	Site Enrollment Ages 5-17	Free/Reduced Free:	Free/Reduced Reduced:	Ages 4 and Under	Ages 5-17	Ages 18 and Over	Total Free / Reduced
715	MIDWEST CITY HS	10 - 12	✓ 938			0	404	39	443
						0	125	10	135

MAIL TO:

CHILD NUTRITION PROGRAMS

**MAIL TO:**

CHILD NUTRITION PROGRAMS  
2500 NORTH LINCOLN BLVD #3-10  
OKLAHOMA CITY, OK 73105

**SUPERINTENDENT SIGNATURE**

**SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

*Signature required in blue ink by Title I. The data for ages 5-17 will be used to determine next year's allocation.*

FCC Form 471	Do not write in this area.	Approval by OMB 3060-0806
<b>Schools and Libraries Universal Service</b> <b>Description of Services Ordered and Certification Form 471</b> <small>Estimated Average Burden Hours per Response: 4 hours</small> This form asks schools and libraries to list the eligible telecommunications-related services they have ordered and estimate the annual charges for them so that the Fund Administrator can set aside sufficient support to reimburse providers for services. Please read instructions before beginning this application. (You can also file online at <a href="http://www.sl.universalservice.org">www.sl.universalservice.org</a> .) The instructions include information on the deadlines for filing this application.		
Applicant's Form Identifier (Create your own code to identify THIS form 471) MDS-Y10-471-B		Form 471 Application# (To be assigned by administrator) 562205
<b>Block 1: Billed Entity Information</b> (The "Billed Entity" is the entity paying the bills for the service listed on this form.)		
1 a	Name of Billed Entity: MIDWEST CITY-DEL CITY SCH DIST	
2 a	Funding Year: July 1, 2007 Through June 30: 2008	Billed Entity Number: 139839
4 a	Street Address, P.O. Box, or Routing Number: 7217 SE 15TH ST	
	City: MIDWEST CITY	
	State: OK	Zip Code 73110
5 a	Type of Application: <input type="checkbox"/> Individual School (individual public or non-public school) <input checked="" type="checkbox"/> School District (LEA; public or non-public [e.g. diocesan] local district representing multiple schools) <input type="checkbox"/> Library (including library system, library outlet/branch or library consortium as defined under LSTA) <input type="checkbox"/> Consortium <input type="checkbox"/> Check here if any members of this consortium are ineligible or non-governmental entities	
6	Contact Person's Name: Pam Deering	
First, if the Contact Person's Street Address is the same as in Item 4, check this box. <input checked="" type="checkbox"/> If not, please complete the entries for the Street Address below.		
b	Street Address, P.O. Box, or Routing Number: 7217 SE 15TH ST	
	City: MIDWEST CITY	
	State: OK	Zip Code 73110

Page 1 of 7



FCC Form 471 - November 2004

Entity Number	139839	Applicant's Form Identifier	MDS-Y10-471-B
Contact Person	Pam Deering	Phone Number	405-737-4461
<p>This information will facilitate the processing of your applications. Please complete all rows that apply to services for which you are requesting discounts. Complete this information on the FIRST Form 471 you file, to encompass this and all other Forms 471 you will file for this funding year. You need not complete this information on subsequent Forms 471. Provide your best estimates for the services ordered across ALL of your Forms 471.</p> <p>Schools/school districts complete Item 7. Libraries complete Item 8. Consortia complete Item 7 and/or Item 8.</p>			
<b>Block 2: Impact of Services Ordered on Schools</b>			
IF THIS APPLICATION INCLUDES SCHOOLS...		BEFORE ORDER	AFTER ORDER
7a	Number of students to be served		12648
b	Telephone service: Number of classrooms with phone service	73	73

ATTACHMENT # C-33



d	Direct broadband services: Number of buildings served at the following speeds: Between 10 mbps and 200 mbps	91	91
e	Direct connections to the Internet: Number of drops	2	2
f	Number of classrooms with Internet access	926	926
g	Number of computers or other devices with Internet access	3427	3427

## Block 3: Impact of Services Ordered on Libraries

**NOT APPLICABLE AS THIS APPLICATION IS FOR DISTRICT**

Worksheet A No: 871364

Student Count: 12648

Weighted Product (Sum. Column 8): 10161

Shared Discount: 80%

1. School Name: BARNES ELEMENTARY SCHOOL  
 2. Entity Number: 83876 NCES: 40 19950 00950  
 3. Rural/Urban: Urban  
 4. Student Count: 383 5. NSLP Students: 227 6. NSLP Students/Students: 59.268%  
 7. Discount: 80% 8. Weighted Product: 306.4  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: CARL ALBERT HIGH SCHOOL  
 2. Entity Number: 83849 NCES: 40 19950 952  
 3. Rural/Urban: Urban  
 4. Student Count: 641 5. NSLP Students: 222 6. NSLP Students/Students: 34.633%  
 7. Discount: 60% 8. Weighted Product: 384.6  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: CARL ALBERT JUNIOR HIGH SCHOOL  
 2. Entity Number: 83850 NCES: 40 19950 2209  
 3. Rural/Urban: Urban  
 4. Student Count: 791 5. NSLP Students: 279 6. NSLP Students/Students: 35.271%  
 7. Discount: 60% 8. Weighted Product: 474.6  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: CLEVELAND BAILEY ELEM SCHOOL  
 2. Entity Number: 83734 NCES: 40 19950 951  
 3. Rural/Urban: Urban  
 4. Student Count: 387 5. NSLP Students: 208 6. NSLP Students/Students: 53.746%  
 7. Discount: 80% 8. Weighted Product: 309.6  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: COUNTRY ESTATES ELEM SCHOOL  
 2. Entity Number: 83743 NCES: 40 19950 00954  
 3. Rural/Urban: Urban  
 4. Student Count: 342 5. NSLP Students: 263 6. NSLP Students/Students: 76.900%  
 7. Discount: 90% 8. Weighted Product: 307.8  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: DEL CITY ELEMENTARY SCHOOL  
 2. Entity Number: 83789 NCES: 40 19950 00956  
 3. Rural/Urban: Urban  
 4. Student Count: 438 5. NSLP Students: 401 6. NSLP Students/Students: 91.552%  
 7. Discount: 90% 8. Weighted Product: 394.2  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: DEL CITY HIGH SCHOOL

ATTACHMENT # C-34

2. Entity Number: 83786 NCES: 40 19950 00957  
 3. Rural/Urban: Urban  
 4. Student Count: 811 5. NSLP Students: 620 6. NSLP Students/Students: 76.448%  
 7. Discount: 90% 8. Weighted Product: 729.9  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: DEL CREST JUNIOR HIGH SCHOOL  
 2. Entity Number: 83788 NCES: 40 19950 02210  
 3. Rural/Urban: Urban  
 4. Student Count: 491 5. NSLP Students: 412 6. NSLP Students/Students: 83.910%  
 7. Discount: 90% 8. Weighted Product: 441.9  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: EAST SIDE ELEMENTARY SCHOOL  
 2. Entity Number: 83745 NCES: 40 19950 958  
 3. Rural/Urban: Urban  
 4. Student Count: 430 5. NSLP Students: 392 6. NSLP Students/Students: 91.162%  
 7. Discount: 90% 8. Weighted Product: 387  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: EPPERLY HEIGHTS ELEM SCHOOL  
 2. Entity Number: 83784 NCES: 40 19950 00959  
 3. Rural/Urban: Urban  
 4. Student Count: 621 5. NSLP Students: 511 6. NSLP Students/Students: 82.286%  
 7. Discount: 90% 8. Weighted Product: 558.9  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: HIGHLAND PARK ELEM SCHOOL  
 2. Entity Number: 83861 NCES: 40 19950 00960  
 3. Rural/Urban: Urban  
 4. Student Count: 526 5. NSLP Students: 526 6. NSLP Students/Students: 100.000%  
 7. Discount: 90% 8. Weighted Product: 473.4  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: JARMAN JUNIOR HIGH SCHOOL  
 2. Entity Number: 83746 NCES: 40 19950 2211  
 3. Rural/Urban: Urban  
 4. Student Count: 479 5. NSLP Students: 347 6. NSLP Students/Students: 72.442%  
 7. Discount: 80% 8. Weighted Product: 383.2  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: KERR JUNIOR HIGH SCHOOL  
 2. Entity Number: 83781 NCES: 40 19950 2212  
 3. Rural/Urban: Urban  
 4. Student Count: 536 5. NSLP Students: 392 6. NSLP Students/Students: 73.134%  
 7. Discount: 80% 8. Weighted Product: 428.8  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: MIDWEST CITY HIGH SCHOOL  
 2. Entity Number: 83740 NCES: 40 19950 963  
 3. Rural/Urban: Urban  
 4. Student Count: 938 5. NSLP Students: 578 6. NSLP Students/Students: 61.620%  
 7. Discount: 80% 8. Weighted Product: 750.4  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: MONRONEY JUNIOR HIGH SCHOOL  
 2. Entity Number: 83739 NCES: 40 19950 02213  
 3. Rural/Urban: Urban  
 4. Student Count: 631 5. NSLP Students: 345 6. NSLP Students/Students: 54.675%  
 7. Discount: 80% 8. Weighted Product: 504.8  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

ATTACHMENT # C-55

1. School Name: PARKVIEW ELEMENTARY SCHOOL  
 2. Entity Number: 83862 NCES: 40 19950 00965  
 3. Rural/Urban: Urban  
 4. Student Count: 582 5. NSLP Students: 276 6. NSLP Students/Students: 47.422%  
 7. Discount: 60% 8. Weighted Product: 349.2  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: PLEASANT HILL ELEMENTARY SCH  
 2. Entity Number: 83823 NCES: 40 19950 966  
 3. Rural/Urban: Urban  
 4. Student Count: 107 5. NSLP Students: 105 6. NSLP Students/Students: 98.130%  
 7. Discount: 90% 8. Weighted Product: 96.3  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: RIDGECREST ELEMENTARY SCHOOL  
 2. Entity Number: 83738 NCES: 40 19950 967  
 3. Rural/Urban: Urban  
 4. Student Count: 393 5. NSLP Students: 240 6. NSLP Students/Students: 61.068%  
 7. Discount: 80% 8. Weighted Product: 314.4  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: SCHWARTZ ELEMENTARY SCHOOL  
 2. Entity Number: 83913 NCES: 40 19950 967  
 3. Rural/Urban: Urban  
 4. Student Count: 262 5. NSLP Students: 107 6. NSLP Students/Students: 40.839%  
 7. Discount: 60% 8. Weighted Product: 157.2  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: SOLDIER CREEK ELEM SCHOOL  
 2. Entity Number: 83848 NCES: 40 19950 00968  
 3. Rural/Urban: Urban  
 4. Student Count: 685 5. NSLP Students: 356 6. NSLP Students/Students: 51.970%  
 7. Discount: 80% 8. Weighted Product: 548  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: SOONER ROSE ELEMENTARY SCHOOL  
 2. Entity Number: 83735 NCES: 40 19950 00971  
 3. Rural/Urban: Urban  
 4. Student Count: 436 5. NSLP Students: 369 6. NSLP Students/Students: 84.633%  
 7. Discount: 90% 8. Weighted Product: 392.4  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: STEED ELEMENTARY SCHOOL  
 2. Entity Number: 83751 NCES: 40 19950 970  
 3. Rural/Urban: Urban  
 4. Student Count: 475 5. NSLP Students: 456 6. NSLP Students/Students: 96.000%  
 7. Discount: 90% 8. Weighted Product: 427.5  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: TINKER ELEMENTARY SCHOOL  
 2. Entity Number: 83874 NCES: 40 19950 1922  
 3. Rural/Urban: Urban  
 4. Student Count: 517 5. NSLP Students: 364 6. NSLP Students/Students: 70.406%  
 7. Discount: 80% 8. Weighted Product: 413.6  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: TOWNSEND ELEMENTARY SCHOOL  
 2. Entity Number: 83782 NCES: 40 19950 972  
 3. Rural/Urban: Urban  
 4. Student Count: 445 5. NSLP Students: 319 6. NSLP Students/Students: 71.685%  
 7. Discount: 80% 8. Weighted Product: 356  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

ATTACHMENT # C-36

2007

FRN: 1551257 FCDL Date:	
10. Original FRN:	
11. Category of Service: Basic Maintenance of Internal Connections	12. 470 Application Number: 845650000597461
13. SPIN: 143004698	14. Service Provider Name: United Systems, Inc.
15a. Non-Contracted tariffed/Month to Month Service:	15b. Contract Number: N/A
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number: 405-737-4461	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/19/2006	18. Contract Award Date: 01/22/2007
19a. Service Start Date: 07/01/2007	19b. Service End Date:
20. Contract Expiration Date: 09/30/2008	
21. Attachment #: A	22. Block 4 Entity Number: 83788
23a. Monthly Charges: \$2,075.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$2,075.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$24,900.00	
23f. Annual non-recurring (one-time) charges: 0	23g. Ineligible non-recurring amt.: 0
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$24,900.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request ( 23i x 23j): \$22,410.00	

DelCrest

ATTACHMENT # C-37

2007

FRN: 1550826 FCDL Date:	
10. Original FRN:	
11. Category of Service: Basic Maintenance of Internal Connections	12. 470 Application Number: 845650000597461
13. SPIN: 143004698	14. Service Provider Name: United Systems, Inc.
15a. Non-Contracted tariffed/Month to Month Service:	15b. Contract Number: N/A
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number: 405-737-4461	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/19/2006	18. Contract Award Date: 01/22/2007
19a. Service Start Date: 07/01/2007	19b. Service End Date:
20. Contract Expiration Date: 09/30/2008	
21. Attachment #: A	22. Block 4 Entity Number: 83745
23a. Monthly Charges: \$1,075.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$1,075.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$12,900.00	
23f. Annual non-recurring (one-time) charges: 0	23g. Ineligible non-recurring amt.: 0
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$12,900.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request ( 23i x 23j): \$11,610.00	

East Side

ATTACHMENT # C-38

2007

FRN: 1551202 FCDL Date:	
10. Original FRN:	
11. Category of Service: Basic Maintenance of Internal Connections	12. 470 Application Number: 845650000597461
13. SPIN: 143004698	14. Service Provider Name: United Systems, Inc.
15a. Non-Contracted tariffed/Month to Month Service:	15b. Contract Number: N/A
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number: 405-737-4461	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/19/2006	18. Contract Award Date: 01/22/2007
19a. Service Start Date: 07/01/2007	19b. Service End Date:
20. Contract Expiration Date: 09/30/2008	
21. Attachment #: A	22. Block 4 Entity Number: 83751
23a. Monthly Charges: \$1,075.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$1,075.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$12,900.00	
23f. Annual non-recurring (one-time) charges: 0	23g. Ineligible non-recurring amt.: 0
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$12,900.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request ( 23i x 23j): \$11,610.00	

Speed

ATTACHMENT # C-39

2007 ATTACHMENT # 44

FRN: 1550852 FCDL Date:	
10. Original FRN:	
11. Category of Service: Basic Maintenance of Internal Connections	12. 470 Application Number: 845650000597461
13. SPIN: 143004698	14. Service Provider Name: United Systems, Inc.
15a. Non-Contracted tariffed/Month to Month Service:	15b. Contract Number: N/A
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number: 405-737-4461	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/19/2006	18. Contract Award Date: 01/22/2007
19a. Service Start Date: 07/01/2007	19b. Service End Date:
20. Contract Expiration Date: 09/30/2008	
21. Attachment #: A	22. Block 4 Entity Number: 83861
23a. Monthly Charges: \$1,075.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$1,075.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$12,900.00	
23f. Annual non-recurring (one-time) charges: 0	23g. Ineligible non-recurring amt.: 0
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$12,900.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request ( 23i x 23j): \$11,610.00	

Highland Park

ATTACHMENT # c-40

Feb 1

FRN: 1550804 FCDL Date:	
10. Original FRN:	
11. Category of Service: Basic Maintenance of Internal Connections	12. 470 Application Number: 845650000597461
13. SPIN: 143004698	14. Service Provider Name: United Systems, Inc.
15a. Non-Contracted tariffed/Month to Month Service:	15b. Contract Number: N/A
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number: 405-737-4461	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/19/2006	18. Contract Award Date: 01/22/2007
19a. Service Start Date: 07/01/2007	19b. Service End Date:
20. Contract Expiration Date: 09/30/2008	
21. Attachment #: A	22. Block 4 Entity Number: 83743
23a. Monthly Charges: \$1,075.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$1,075.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$12,900.00	
23f. Annual non-recurring (one-time) charges: 0	23g. Ineligible non-recurring amt.: 0
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$12,900.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request ( 23i x 23j): \$11,610.00	

Country Estates

ATTACHMENT # c-41



FCC Form 471	Do not write in this area.	Approval by OMB 3060-0806
<b>Schools and Libraries Universal Service</b> <b>Description of Services Ordered and Certification Form 471</b> <small>Estimated Average Burden Hours per Response: 4 hours</small>		
<p>This form asks schools and libraries to list the eligible telecommunications-related services they have ordered and estimate the annual charges for them so that the Fund Administrator can set aside sufficient support to reimburse providers for services. Please read instructions before beginning this application. (You can also file online at <a href="http://www.sl.universalservice.org">www.sl.universalservice.org</a>.) The instructions include information on the deadlines for filing this application.</p>		
Applicant's Form Identifier (Create your own code to identify THIS form 471) MDS-Y10-471		Form 471 Application# (To be assigned by administrator) 559836
<b>Block 1: Billed Entity Information</b> (The "Billed Entity" is the entity paying the bills for the service listed on this form.)		
1 a	Name of Billed Entity MIDWEST CITY-DEL CITY SCH DIST	
2 a	Funding Year: July 1, 2007 Through June 30: 2008	Billed Entity Number: 139839
4 a	Street Address, P.O. Box, or Routing Number 7217 SE 15TH ST	
	City MIDWEST CITY	
	State OK	Zip Code 73110
5 a	Type of Application <input type="checkbox"/> Individual School (individual public or non-public school) <input checked="" type="checkbox"/> School District (LEA; public or non-public [e.g. diocesan] local district representing multiple schools) <input type="checkbox"/> Library (including library system, library outlet/branch or library consortium as defined under LSTA) <input type="checkbox"/> Consortium <input type="checkbox"/> Check here if any members of this consortium are ineligible or non-governmental entities	
6	Contact Person's Name Pam Deering	
First, if the Contact Person's Street Address is the same as in Item 4, check this box. <input checked="" type="checkbox"/> If not, please complete the entries for the Street Address below.		
b	Street Address, P.O. Box, or Routing Number 7217 SE 15TH ST	
	City MIDWEST CITY	
	State OK	Zip Code 73110

Page 1 of 7



FCC Form 471 - November 2004

Entity Number	139839	Applicant's Form Identifier	MDS-Y10-471
Contact Person	Pam Deering	Phone Number	405-737-4461
<p>This information will facilitate the processing of your applications. Please complete all rows that apply to services for which you are requesting discounts. Complete this information on the FIRST Form 471 you file, to encompass this and all other Forms 471 you will file for this funding year. You need not complete this information on subsequent Forms 471. Provide your best estimates for the services ordered across ALL of your Forms 471. Schools/school districts complete Item 7. Libraries complete Item 8. Consortia complete Item 7 and/or Item 8.</p>			
<b>Block 2: Impact of Services Ordered on Schools</b>			
IF THIS APPLICATION INCLUDES SCHOOLS...		BEFORE ORDER	AFTER ORDER
7a	Number of students to be served		12648
b	Telephone service: Number of classrooms with phone service	73	73

ATTACHMENT # C-42

d	Direct broadband services: Number of buildings served at the following speeds: Between 10 mbps and 200 mbps	91	91
e	Direct connections to the Internet: Number of drops	2	2
f	Number of classrooms with Internet access	926	926
g	Number of computers or other devices with Internet access	3427	3427

## Block 3: Impact of Services Ordered on Libraries

**NOT APPLICABLE AS THIS APPLICATION IS FOR DISTRICT**

Worksheet A No: 866190      Student Count: 12648  
Weighted Product (Sum. Column 8): 10161      Shared Discount: 80%

1. School Name: BARNES ELEMENTARY SCHOOL  
2. Entity Number: 83876      NCES: 40 19950 00950  
3. Rural/Urban: Urban  
4. Student Count: 383      5. NSLP Students: 227      6. NSLP Students/Students: 59.268%  
7. Discount: 80%      8. Weighted Product: 306.4  
9. Pre-K/Adult Ed/Juv:      10. Alt Disc Mech:

1. School Name: CARL ALBERT HIGH SCHOOL  
2. Entity Number: 83849      NCES: 40 19950 952  
3. Rural/Urban: Urban  
4. Student Count: 641      5. NSLP Students: 222      6. NSLP Students/Students: 34.633%  
7. Discount: 60%      8. Weighted Product: 384.6  
9. Pre-K/Adult Ed/Juv:      10. Alt Disc Mech:

1. School Name: CARL ALBERT JUNIOR HIGH SCHOOL  
2. Entity Number: 83850      NCES: 40 19950 2209  
3. Rural/Urban: Urban  
4. Student Count: 791      5. NSLP Students: 279      6. NSLP Students/Students: 35.271%  
7. Discount: 60%      8. Weighted Product: 474.6  
9. Pre-K/Adult Ed/Juv:      10. Alt Disc Mech:

1. School Name: CLEVELAND BAILEY ELEM SCHOOL  
2. Entity Number: 83734      NCES: 40 19950 951  
3. Rural/Urban: Urban  
4. Student Count: 387      5. NSLP Students: 208      6. NSLP Students/Students: 53.746%  
7. Discount: 80%      8. Weighted Product: 309.6  
9. Pre-K/Adult Ed/Juv:      10. Alt Disc Mech:

1. School Name: COUNTRY ESTATES ELEM SCHOOL  
2. Entity Number: 83743      NCES: 40 19950 00954  
3. Rural/Urban: Urban  
4. Student Count: 342      5. NSLP Students: 263      6. NSLP Students/Students: 76.900%  
7. Discount: 90%      8. Weighted Product: 307.8  
9. Pre-K/Adult Ed/Juv:      10. Alt Disc Mech:

1. School Name: DEL CITY ELEMENTARY SCHOOL  
2. Entity Number: 83789      NCES: 40 19950 00956  
3. Rural/Urban: Urban  
4. Student Count: 438      5. NSLP Students: 401      6. NSLP Students/Students: 91.552%  
7. Discount: 90%      8. Weighted Product: 394.2  
9. Pre-K/Adult Ed/Juv:      10. Alt Disc Mech:

1. School Name: DEL CITY HIGH SCHOOL

ATTACHMENT # C-43

2. Entity Number: 83786 NCES: 40 19950 00957  
 3. Rural/Urban: Urban  
 4. Student Count: 811 5. NSLP Students: 620 6. NSLP Students/Students: 76.448%  
 7. Discount: 90% 8. Weighted Product: 729.9  
 9. Pre-K/Adult Ed/Juv: 10. Alt Disc Mech:

1. School Name: DEL CREST JUNIOR HIGH SCHOOL  
 2. Entity Number: 83788 NCES: 40 19950 02210  
 3. Rural/Urban: Urban  
 4. Student Count: 491 5. NSLP Students: 412 6. NSLP Students/Students: 83.910%  
 7. Discount: 90% 8. Weighted Product: 441.9  
 9. Pre-K/Adult Ed/Juv: 10. Alt Disc Mech:

Correct

1. School Name: EAST SIDE ELEMENTARY SCHOOL  
 2. Entity Number: 83745 NCES: 40 19950 958  
 3. Rural/Urban: Urban  
 4. Student Count: 430 5. NSLP Students: 392 6. NSLP Students/Students: 91.162%  
 7. Discount: 90% 8. Weighted Product: 387  
 9. Pre-K/Adult Ed/Juv: 10. Alt Disc Mech:

1. School Name: EPPERLY HEIGHTS ELEM SCHOOL  
 2. Entity Number: 83784 NCES: 40 19950 00959  
 3. Rural/Urban: Urban  
 4. Student Count: 621 5. NSLP Students: 511 6. NSLP Students/Students: 82.286%  
 7. Discount: 90% 8. Weighted Product: 558.9  
 9. Pre-K/Adult Ed/Juv: 10. Alt Disc Mech:

1. School Name: HIGHLAND PARK ELEM SCHOOL  
 2. Entity Number: 83861 NCES: 40 19950 00960  
 3. Rural/Urban: Urban  
 4. Student Count: 526 5. NSLP Students: 526 6. NSLP Students/Students: 100.000%  
 7. Discount: 90% 8. Weighted Product: 473.4  
 9. Pre-K/Adult Ed/Juv: 10. Alt Disc Mech:

1. School Name: JARMAN JUNIOR HIGH SCHOOL  
 2. Entity Number: 83746 NCES: 40 19950 2211  
 3. Rural/Urban: Urban  
 4. Student Count: 479 5. NSLP Students: 347 6. NSLP Students/Students: 72.442%  
 7. Discount: 80% 8. Weighted Product: 383.2  
 9. Pre-K/Adult Ed/Juv: 10. Alt Disc Mech:

1. School Name: KERR JUNIOR HIGH SCHOOL  
 2. Entity Number: 83781 NCES: 40 19950 2212  
 3. Rural/Urban: Urban  
 4. Student Count: 536 5. NSLP Students: 392 6. NSLP Students/Students: 73.134%  
 7. Discount: 80% 8. Weighted Product: 428.8  
 9. Pre-K/Adult Ed/Juv: 10. Alt Disc Mech:

1. School Name: MIDWEST CITY HIGH SCHOOL  
 2. Entity Number: 83740 NCES: 40 19950 963  
 3. Rural/Urban: Urban  
 4. Student Count: 938 5. NSLP Students: 578 6. NSLP Students/Students: 61.620%  
 7. Discount: 80% 8. Weighted Product: 750.4  
 9. Pre-K/Adult Ed/Juv: 10. Alt Disc Mech:

1. School Name: MONRONEY JUNIOR HIGH SCHOOL  
 2. Entity Number: 83739 NCES: 40 19950 02213  
 3. Rural/Urban: Urban  
 4. Student Count: 631 5. NSLP Students: 345 6. NSLP Students/Students: 54.675%  
 7. Discount: 80% 8. Weighted Product: 504.8  
 9. Pre-K/Adult Ed/Juv: 10. Alt Disc Mech:

ATTACHMENT # c-44

1. School Name: PARKVIEW ELEMENTARY SCHOOL  
2. Entity Number: 83862 NCES: 40 19950 00965  
3. Rural/Urban: Urban  
4. Student Count: 582 5. NSLP Students: 276 6. NSLP Students/Students: 47.422%  
7. Discount: 60% 8. Weighted Product: 349.2  
9. Pre-K/Adult Ed/Juv: 10. Alt Disc Mech:

1. School Name: PLEASANT HILL ELEMENTARY SCH  
2. Entity Number: 83823 NCES: 40 19950 966  
3. Rural/Urban: Urban  
4. Student Count: 107 5. NSLP Students: 105 6. NSLP Students/Students: 98.130%  
7. Discount: 90% 8. Weighted Product: 96.3  
9. Pre-K/Adult Ed/Juv: 10. Alt Disc Mech:

1. School Name: RIDGECREST ELEMENTARY SCHOOL  
2. Entity Number: 83738 NCES: 40 19950 967  
3. Rural/Urban: Urban  
4. Student Count: 393 5. NSLP Students: 240 6. NSLP Students/Students: 61.068%  
7. Discount: 80% 8. Weighted Product: 314.4  
9. Pre-K/Adult Ed/Juv: 10. Alt Disc Mech:

1. School Name: SCHWARTZ ELEMENTARY SCHOOL  
2. Entity Number: 83913 NCES: 40 19950 967  
3. Rural/Urban: Urban  
4. Student Count: 262 5. NSLP Students: 107 6. NSLP Students/Students: 40.839%  
7. Discount: 60% 8. Weighted Product: 157.2  
9. Pre-K/Adult Ed/Juv: 10. Alt Disc Mech:

1. School Name: SOLDIER CREEK ELEM SCHOOL  
2. Entity Number: 83848 NCES: 40 19950 00968  
3. Rural/Urban: Urban  
4. Student Count: 685 5. NSLP Students: 356 6. NSLP Students/Students: 51.970%  
7. Discount: 80% 8. Weighted Product: 548  
9. Pre-K/Adult Ed/Juv: 10. Alt Disc Mech:

1. School Name: SOONER ROSE ELEMENTARY SCHOOL  
2. Entity Number: 83735 NCES: 40 19950 00971  
3. Rural/Urban: Urban  
4. Student Count: 436 5. NSLP Students: 369 6. NSLP Students/Students: 84.633%  
7. Discount: 90% 8. Weighted Product: 392.4  
9. Pre-K/Adult Ed/Juv: 10. Alt Disc Mech:

1. School Name: STEED ELEMENTARY SCHOOL  
2. Entity Number: 83751 NCES: 40 19950 970  
3. Rural/Urban: Urban  
4. Student Count: 475 5. NSLP Students: 456 6. NSLP Students/Students: 96.000%  
7. Discount: 90% 8. Weighted Product: 427.5  
9. Pre-K/Adult Ed/Juv: 10. Alt Disc Mech:

1. School Name: TINKER ELEMENTARY SCHOOL  
2. Entity Number: 83874 NCES: 40 19950 1922  
3. Rural/Urban: Urban  
4. Student Count: 517 5. NSLP Students: 364 6. NSLP Students/Students: 70.406%  
7. Discount: 80% 8. Weighted Product: 413.6  
9. Pre-K/Adult Ed/Juv: 10. Alt Disc Mech:

1. School Name: TOWNSEND ELEMENTARY SCHOOL  
2. Entity Number: 83782 NCES: 40 19950 972  
3. Rural/Urban: Urban  
4. Student Count: 445 5. NSLP Students: 319 6. NSLP Students/Students: 71.685%  
7. Discount: 80% 8. Weighted Product: 356  
9. Pre-K/Adult Ed/Juv: 10. Alt Disc Mech:

ATTACHMENT # C-45

ATTACHMENT # 50

2007

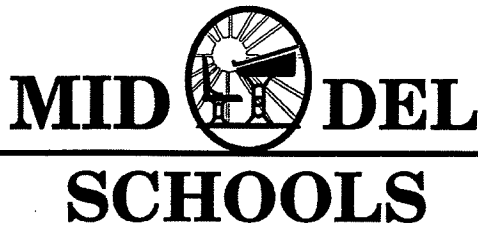
FRN: 1599784 FCDL Date:	
10. Original FRN:	
11. Category of Service: Basic Maintenance of Internal Connections	12. 470 Application Number: 845650000597461
13. SPIN: 143004698	14. Service Provider Name: United Systems, Inc.
15a. Non-Contracted tarified/Month to Month Service:	15b. Contract Number: N/A
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number:	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/19/2006	18. Contract Award Date: 01/22/2007
19a. Service Start Date: 07/01/2007	19b. Service End Date:
20. Contract Expiration Date: 09/30/2008	
21. Attachment #: A	22. Block 4 Entity Number: 83786
23a. Monthly Charges: \$3,158.33	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$3,158.33	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$37,899.96	
23f. Annual non-recurring (one-time) charges: 0	23g. Ineligible non-recurring amt.: 0
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$37,899.96	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request ( 23i x 23j): \$34,109.96	

Del City HS

ATTACHMENT # c-46

## **ATTACHMENT D**

### Letter of Agency and Addendum



**Bill Scoggan**  
Superintendent

7217 S. E. 15th  
Midwest City, OK 73110  
(405) 737-4461

Mailing Address:  
P.O. Box 10630  
Midwest City, OK 73140  
Fax # (405) 739-1615

**Pam Deering, Ph.D.**  
Assistant Superintendent  
Fiscal Services

**ADDENDUM TO KELLOGG & SOVEREIGN CONSULTING, LLC LETTER OF AGENCY**

This Addendum extends the 2008 Letter of Agency with Kellogg & Sovereign Consulting, LLC (attached) that covers E-Rate Funding Years 2005, 2006, 2007, & 2008 to extend this coverage to E-Rate Funding Years 2002, 2003, and 2004 as well for the purposes of assisting Midwest City-Del City School District with Audits of applications submitted during this time period.

We understand that the same authorizations and certifications as stated in the original LOA attached apply to these earlier funding years as well.

Applicant Name (School/District): Midwest City-Del City School District BEN 139839

Signature of Authorized Person: Pam Deering Date: 3/12/09

Printed Name of Authorized Person: Pam Deering Title: Asst. Supt. Fiscal Services

This authorization shall remain in effect until notified of cancellation in writing.

**PLEASE SIGN AND RETURN TO:**  
**Kellogg & Sovereign® Consulting, LLC P.O. Box 130, Allen, OK 74825**

**ATTACHMENT #** D-1

*"Where Children Come First"*

Serving the students of Del City, Forest Park, Midwest City, part of OKC, and Tinker Air Force Base

# KELLOGG & SOVEREIGN® CONSULTING, LLC

## LETTER OF AGENCY

E-Rate Funding Years 2005, 2006, 2007 & 2008

NOON

I authorize Jane Kellogg, Don Kellogg, Debi Sovereign, and/or Tacy Olivo, representatives of Kellogg & Sovereign® Consulting, LLC to submit the E-rate Forms 470, 471, 486, 500, 472 (BEAR form), and other forms requested by the Schools and Libraries Division of the USAC on behalf of our school system. We also authorize the aforementioned representatives to act as our agents in soliciting, receiving, and preparing comparisons of proposals from service providers.

Name of Applicant (School/Library): MIDWEST CITY - DEL CITY SCH DIST (BEN 139839)

As such, they are authorized to conduct the following on our behalf to:

- Prepare and submit all paperwork requested by the Schools and Libraries Division of the USAC (SLD)
- Act as our agent in working with representatives of the FCC, USAC, and or/SLD to provide information as requested during application review, selective reviews, site visits, audits and any other activity associated with review of our applications
- Prepare Requests for Proposal (RFPs) to be posted to the Kellogg & Sovereign® Consulting, LLC website and distributed to appropriate vendors
- Provide information to vendors as needed to clarify information in RFPs
- Receive bids for requested services from vendors
- Notify vendors of their selection to provide services once the authorized school contact has analyzed comparisons of bids submitted to us through Kellogg & Sovereign® Consulting, LLC and we have notified Kellogg & Sovereign® Consulting, LLC of our selections.
- Complete contracts as specifically directed by the authorized school contact person for eligible E-rate services

**I also understand that in submitting these forms on our behalf, representatives of Kellogg & Sovereign® Consulting are making certifications for our school and/or library system. By signing this letter of agency, I make the following certifications as required by the Schools and Libraries Division:**

1. I certify that the school(s) I represent are eligible for support because they are schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs 7801(18) and (38), that do not operate as for-profit businesses and do not have endowments exceeding \$50 million.
2. I certify that the entities I represent will secure access separately or through this program, to all of the resources including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entities I represent will secure access to all of the resources to pay the discounted charges for eligible services from funds to which access will be secured in the applicable funding year(s). I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).
3. I certify that all of the individual school(s) I represent are covered by technology plans that are written, that cover all 12 months of the applicable funding year(s), and that have been or will be approved by an SLD-certified technology plan approver prior to the commencement of service.

ATTACHMENT # D-2



# KELLOGG & SOVEREIGN® CONSULTING, LLC

Letter of Agency-E-Rate FY 2005, 2006, 2007 & 2008 - Page 2

NOB

4. I authorize Kellogg & Sovereign® Consulting, LLC to post my Form 470 and (if applicable) make my RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted will be carefully considered and the most cost-effective service offering will be selected, with price being the primary factor considered, and will be the most cost-effective means of meeting educational needs and technology plan goals.
5. I certify that I will review all applicable FCC, state, and local procurement/competitive bidding requirements and that the entity or entities I represent will comply with them.
6. I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. Sec. 54.500(k). Additionally, I certify that the entity or entities listed will not receive anything of value or a promise of anything of value, other than services and equipment sought by means of applications submitted with the Schools & Libraries Division, from the service provider, or any representative or agent thereof or any consultant in connection with the request for services.
7. I certify that I and the entity(ies) I represent will comply with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. There will be signed contracts covering all of the services listed on the Form 471 except for those services provided under non-contracted tariffed or month-to-month arrangements. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.
8. I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.
9. I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to the Administrator. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.
10. I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) I represent. I certify that I am authorized to sign this Letter of Agency and all information to be provided to Kellogg & Sovereign® Consulting, LLC for the E-Rate submission will be true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to the associated applications have complied with the terms, conditions, and purposes of this program, that no kickbacks were or will be paid to anyone and that false statements on universal service applications can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001 and civil violations of the False Claims Act.

ATTACHMENT # D3

NOON

11. I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities listed on this application, or any person associated in any way with my entity and/or the entities listed on this application, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.
12. I certify that if any of the Funding Requests listed on Form 471 applications are for discounts for products or services that contain both eligible and ineligible components that Kellogg & Sovereign® Consulting, LLC on our behalf will allocate the cost of the contract to eligible and ineligible components as required by the Commission's rules at 47 C.F. R. Sec. 54.504(g)(1),(2).
13. I certify that funding requests included on the related application(s) will not constitute a request for internal connections services, except basic maintenance services, in violation of the Commission requirement that eligible entities are not eligible for such support more than twice every five funding years beginning with Funding Year 2005 as required by the Commission's rules at 47 C.F. R. Sec. 54.506(c).
14. I acknowledge that the non-discounted portion of the costs for eligible services will not be paid by the service provider. The pre-discount costs of eligible services featured on the applicable Form 471 applications will not be net of any rebates or discounts offered by the service provider. I acknowledge that, for the purpose of this rule, the provision by the provider of a supported service of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.
15. I certify that prior to the commencement of service, the school(s) I represent will be in compliance with the requirements of the Children's Internet Protection Act, as codified at 47 U.S. C. Sec. 254(h) and (l).

Applicant Name (School/Library): Midwest City - Del City City Sch Dist (BEN 139839)

Signature of Authorized Person: [Signature] Date: September 25, 2007

Printed Name of Authorized Person: Bill Scoggan Title: Superintendent

This authorization shall remain in effect until notified of cancellation in writing.

PLEASE SIGN AND RETURN TO:

Kellogg & Sovereign® Consulting, LLC P.O. Box 130, Allen, OK 74825

ATTACHMENT # D-4